



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2483 of 2021

Arumugam

... Petitioner/Accused

Vs

State by,
The Inspector of Police,
Swaminathapuram Police Station,
Dindigul District
Crime No. 227/2019..

... Respondent/Complainant

For Petitioner : Mr.B.Kumarasamy,
Advocate.

For Respondent : Mr.V.Chandrasekaran,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.227 of 2019 on the file of the Respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 324 and 506(ii) of I.P.C., in Crime No.227 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner got married to the defacto complainant's daughter. Due to matrimonial issues, they are living separately. The defacto complainant's daughter went to his relative house on 28.12.2019, at that time, the petitioner quarrelled with her and assaulted her severely. Hence, the present complaint.

4. The learned counsel for the petitioner submitted that the defacto complainant's daughter left the matrimonial home before four



years and the complainant was also lodged before four years. Thereafter, the petitioner is not harassing her. Hence, he seeks anticipatory bail.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

- 1.THE JUDICIAL MAGISTRATE, PALANI.
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT
 - 3.THE INSPECTOR OF POLICE,
SWAMINATHAPURAM POLICE STATION,
DINDIGUL DISTRICT
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to Mr.B.KUMARASAMY, Advocate SR.No.1149

ORDER
IN
CRL OP(MD) No.2483 of 2021
Date :17/02/2021

IAS
PK/VR/SAR-I/24.02.2021 : 3P/6C