



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/04/2021

WEB COPY

PRESENT

The Hon`ble **Mr.Justice G.CHANDRASEKHARAN**

CRL OP (MD) .No.2598 and 2601 of 2021

Murugan ...Petitioner/Accused No.1 in both Crl OPs

Vs

The State through
The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramnathapuram District.
Cr No.5/2019

...Respondent/Complainant in
Crl.O.P. (MD) No.2598 of 2021

The State through
The Inspector of Police,
Chatrakudi Police Station,
Ramnathapuram District.
Cr No.212/2020

...Respondent/Complainant
in Crl.O.P. (MD) No.2601 of 2021

For Petitioner : Mr.Laxman.K.R.,
Advocate. (in both Crl Ops)

For Respondent : M.Ganesan,
Government Advocate (Crl.Side)
(in both Crl Ops)

PETITIONS FOR **ANTICIPATORY BAIL** Under Sec.438 of Cr.P.C.

COMMON PRAYER:-

For Anticipatory Bail in Crime No.5 of 2019 and Crime No.212 of 2020 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 294 (b), 323, 417 and 506 (i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.5 of 2019 and Sections 294 (b), 506 (i) and 509 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.212 of



2020 on the file of the respondent police, the petitioner has come forward with the petitions seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case and hence, he seeks anticipatory bail. The learned counsel for the petitioner would further submit that all other accused are granted anticipatory bail by the Principal District Judge, Ramanathapuram.

4. The learned Government Advocate (criminal side), on instructions, submitted that all other accused have been granted anticipatory bail.

5. It is seen from the submissions made that there is a love affair between the petitioner and the defacto complainant and the petitioner is refusing to marry the defacto complainant. The complaint is not only against the petitioner, also his parents and siblings.

6. Considering the facts and circumstances of the case, the fact that all other accused have been granted anticipatory bail and the fact that except 506(ii) of IPC, all other offences are bailable offences, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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, Paramakudi, Ramanathapuram District, and on his executing 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 learned Magistrate concerned and on further conditions 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 cards or Bank pass Books to ensure their identity;

(b) the petitioner shall report before the concerned respondent police daily, at 10.30 a.m., until further orders;

(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/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

sd/-

09.04.2021

/ TRUE COPY /

/ /2021

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

SM

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.

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMNATHAPURAM DISTRICT.
4. THE INSPECTOR OF POLICE,
CHATRAKUDI POLICE STATION,
RAMNATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.K.R.LAXMAN, Advocate (SR-3053,3054[I]dated 09/04/2021)

COMMON ORDER IN
CRL OP (MD) No.2598 and 2601 of 2021
Date:09/04/2021

VB/PN/SAR-II (28/04/2021) 3P / 8c