



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03.08.2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10484 of 2021

1.Arputha Kanagaraj
2.Amala Jothi Lidwin ... Petitioners/Accused

Vs

The State rep.by
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
In Crime No.178 of 2021. ... Respondent/Complainant

For Petitioners: Mr.S.R.Anbarasu,
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate(Crl. side)

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

PRAYER :-For Anticipatory Bail in Crime no.178 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.178 of 2021, seek anticipatory bail.

2. The case of the prosecution is that on 13.07.2021, at about 08.00 am, the petitioners abused the defacto complainant and threatened to do away with her. Hence, the complaint.

3. The learned counsel for the petitioners submitted that both the petitioners are working as Teachers and civil dispute is pending between the petitioners and the defacto complainant. Due to the said civil dispute, this case has been foisted against the petitioners.

4. The learned Government Advocate (Criminal Side), on instructions, would submit that no one has been injured in this



5. Considering the nature of offence and the fact that no one has been injured in this case, this Court is inclined to grant Anticipatory Bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Sathankulam on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners 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 petitioners shall report before respondent police as and when required, until further orders.

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
03/08/2021

/ 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



TO

1 THE JUDICIAL MAGISTRATE,
SATHANKULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10484 of 2021

Date :03/08/2021

MBI

MK/VR/SAR-I/06.08.2021/3P/5C