



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

Date : 24.08.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD)No.11389 of 2021

1.Pandiyarajan
2.Karthick
3.Veerachinnu

... Petitioners/Accused

Vs

The State rep.by
The Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
Crime No. 598 of 2020.

... Respondent/Complainant

For Petitioners : Mr.P.SARAVANAKUMAR,
Advocate.

For Respondent : Mr.T.SENTHILKUMAR,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.598 of 2020 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 offence punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.598 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the *defacto* complainant are husband and wife. The husband developed intimacy with one Meenakshi / A4 and therefore, there were misunderstandings between the husband and wife and they started living separately. While so, on 01.12.2020 the husband along with other accused attacked the *defacto* complainant and her children and threatened them with dire consequences. Hence the complaint.

3.The learned counsel for the petitioners submits that the petitioners have not indulged in any offence as alleged by the

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prosecution and for alleged offence said to taken place on 01.12.2020, the complaint was lodged on 08.12.2020 with a delay of eight days implicating these petitioners falsely.

4.The learned Government Advocate (Crl Side) appearing for the respondent police submitted that totally there are ten accused and the petitioner's are in-laws of the defacto complainant. The injured has been discharged from hospital.

5.Considering facts and circumstance of the case, the nature of allegations levelled against the petitioners, they being family members and the fact that the injured has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and 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 learned Judicial Magistrate No.II, Sattur, 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 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police as and when required.

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

[d]the petitioners shall not abscond either during investigation or trial.

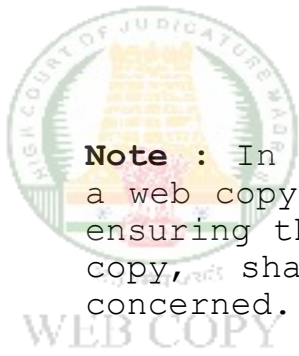
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
24/08/2021

/ 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 concerned.

TO

- 1.THE JUDICIAL MAGISTRATE No.II,
SATTUR.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3.THE INSPECTOR OF POLICE,
SATTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.11389 of 2021
Date :24/08/2021

SA/VR/SAR.1/31.08.2021/3P/5C