



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/10/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14276 of 2021
and
CRL.M.P.(MD).No.7975 of 2021

Prabhakaran

... Petitioner/Accused

Vs

The State rep.by,
The Inspector of Police,
All Woman Police Station,
Thallakulam, Madurai City.
Crime No.42 of 2021.

... Respondent/Complainant

For Petitioner : Mr.M.MARIAPPAN,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

For Intervenor : Mr.S.Poornachandran, Advocate.

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

PRAYER :-For Anticipatory bail in Crime No.42 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498A and 406 of IPC, in Crime No.42 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant took place on 24.10.2019. After the marriage, the petitioner attacked the defacto complainant and abused her in filthy language. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner and the defacto complainant have arrived at some sort of settlements between them.



4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner and that it is a family dispute, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with the 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]**.

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

7. Connected miscellaneous petition is closed.

sd/-
21/10/2021

/ 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 ADDITIONAL MAHILA COURT,
MADURAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMAN POLICE STATION, THALLAKULAM,
MADURAI CITY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.M.MARIAPPAN, Advocate (SR-7318[I] dated 22/10/2021)

ORDER
IN
CRL OP(MD) . No.14276 of 2021
and
CRL.M.P. (MD) .No.7975 of 2021
Date :21/10/2021

ssb
MK/SKN/SAR.III/28.10.2021/3P/5C