



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

Date : 12/10/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.15784 of 2021

Kannan

... Petitioner/Sole Accused

Vs.

State Rep by
The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
Crime No.82 of 2021

... Respondent/Complainant

For Petitioner : Mr.Vivek for
Mr.A.Balaji, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.82 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 354 and 506 (i) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.82 of 2021 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.The case of the prosecution is that on 04.10.2021, at about 07.30 am, the defacto complainant was waiting for bus at Senkulam Bus Stop. At the time the petitioner and the defacto complainant's uncle had crossed the bus stop in a two wheeler. On seeing the defacto complainant, her uncle offered to drop her at Thirupuvanam



and asked her to get on the two wheeler. The defacto complainant's uncle got down from the two wheeler at Nangoor Village, after which, the petitioner misbehaved with the defacto complainant. Hence, the complaint.

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.

4. The learned Additional Public Prosecutor, on instructions, would submit that no previous case is pending against the petitioner.

5. Considering the fact that no previous case is pending against the petitioner and also the fact that except the offence under Section 506(i) of IPC, all other offences are bailable in nature this Court is 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 Court, Thiruchuli and on him executing 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 Aadhar cards or Bank pass Books to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days 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/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/10/2021

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

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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 Court,
Thiruchuli.
2. Do Through The Chief Judicial Magistrate,
Virudhunagar District at Srivilliputtur.
3. The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL OP(MD) No.15784 of 2021
Date : 12/10/2021

TR/SKN/SAR-I(20.10.2021) 3P 5C