



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2021

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PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.15965 of 2021

Stains,

... Petitioner/Accused

Vs

State Rep by

The Inspector of Police,

R.S. Mangalam Police Station,

Ramanathapuram District

(Crime No. 248 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Muralikumar A,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

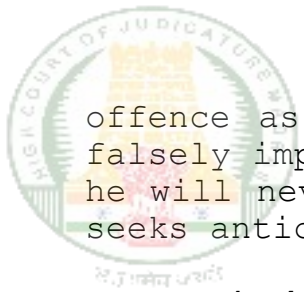
For Anticipatory Bail in Crime No. 248 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 354, 294(b), 323 r/w 67 of IT Act and Section 4 of TNPWH Act, in Crime No.248 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioner sent a SMS and porn photos to the defacto complainant and when the same was questioned by the defacto complainant, there was a wordy quarrel and the petitioner said to have caused sexual harassment to the defacto complainant.

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. He would further submit that he will never indulged in similar type of offences again. Hence, he seeks anticipatory bail.

4.The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that no one sustained any injury in this case.

5.Considering the facts and circumstances of the case and no one sustained any injury in this case and also undertaking given by the petitioner that he will not indulge in any type of activities again, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Thiruvadanai, Ramanathapuram District, 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 his photographs and left thumb impression in the surety bond and the learned 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 daily at 10.30 a.m., for a period of 30 days.

(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 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]; and;



(f) if the accused/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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sd/-
12/10/2021

/ TRUE COPY /

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

kmm

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 District Munsif cum Judicial Magistrate,
Thiruvadanai, Ramanthapuram District.
2. Do Through The Chief Judicial Magistrate,
Ramanathapuram.
3. The Inspector of Police,
R.S. Mangalam Police Station,
Ramanathapuram District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.15965 of 2021
Date : 12/10/2021

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