



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

Date : 02/12/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.18704 of 2021

WEB COPY

Panjaraj,

... Petitioner/Sole Accused

Vs

State Rep. By
The Inspector of Police,
All Women Police Station, Keelakarai,
Ramanathapuram District.
Cr.No.2 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Suresh M,
Advocate.

For Respondent : Mr.P.Kottaisamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 2 of 2021 on the file of the
Respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and
the learned Government Advocate(Crl. Side) appearing for the
respondent.

2.The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Section
498(A) IPC and Section 4 of Woman Harassment Act, seeks anticipatory
bail.

3.It appears that there is matrimonial dispute between the
petitioner and the defacto complainant. In earlier occasion, the
matter was referred to Social Welfare Officer, Ramanathapuram and
interim protection was granted. But, after getting interim order
from this Court, the petitioner has not taken any steps to resolve
the issues. Hence, the petition was dismissed.

4.Now, the learned counsel for the petitioner submits that
the petitioner appeared before the Social Welfare officer,
Ramanathapuram and he is also paying Rs.6,000/- as maintenance to
the defacto complainant.



5. The learned Government Advocate also concedes with the statement of the learned counsel for the petitioner.

6. Recording the submission made by the learned counsel for the petitioner that the petitioner appeared before the Social Welfare Officer, Ramanathapuram and he is also paying Rs.6,000/- as maintenance to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 Judicial Magistrate Court, Kadaladi on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 respondent police as and when required, until further orders.

[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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
02/12/2021

/ 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 COURT,
KADALADI.
- 2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KEELAKARAI,
RAMANATHAPURAM DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

Copy to

The Social Welfare Officer,
District Social Welfare Office,
Ramanathapuram District.

ORDER
IN
CRL OP(MD) No.18704 of 2021
Date :02/12/2021

SB/PN/SAR-III/16.12.2021/3P/6C