



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19172 of 2021

Muthuraj

... Petitioner/Sole Accused

Vs

State rep.by

The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No. 475 of 2021).

... Respondent/Complainant

For Petitioner : M/s.S.Sathyachidambaram, Advocate.

For Respondent : M/s.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.475 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.475 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner abused the *defacto* complainant with filthy language and also assaulted her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the *defacto* complainant is the close relative of the petitioner and due to previous enmity this case has been foisted against the petitioner.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has sustained only simple injury and the petitioner and the defacto complainant are relatives.

5.Considering the facts and circumstances of this case, relationship and nature of dispute between the parties, 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, before the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli and on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
06/12/2021

/ TRUE COPY /

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

PNM

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.



1. THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.19172 of 2021
Date :06/12/2021

SP/CN/SAR III/10/12/2021/3P/5C