



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20319 of 2021

Arputharaj ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
Cr.No.1028/2021.

... Respondent/Complainant

For Petitioner : Mr.V.Sridhar,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1028 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 506(ii) IPC, in Crime No.1028 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused had abused and assaulted the *defacto* complainant and criminally intimidated her and her father with dire consequence. Hence, the complaint.

3.The learned counsel for the petitioner would submit that he is an innocent and not committed any such offence. Injured were discharged from the hospital. He would further submit that the petitioner's wife is expecting delivery and so liberal condition may be imposed upon him. For which, he produced medical record of Primary Health Centre, Ammapet, Papanasam Taluk. Hence, prays to release him on anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured were discharged from the hospital.

5.Reading of the FIR shows that both the *defacto* complainant and this petitioner are close relatives and on 09.12.2021 at about 09.00PM, one Natesan has conducted ceremonies in his house. At that time, one Arockiyam, who is the petitioner was in drunken condition and created trouble and the same was questioned by the *defacto* complainant. Due to which, the petitioner abused the *defacto* complainant in filthy language and assaulted her father. In the occurrence, both the *defacto* complainant and her father sustained injuries and both were discharged from the hospital.

6.Considering the facts and circumstances of this case, that the injured were discharged from the hospital, that the petitioner is not having any previous case and also considering his wife's pregnancy, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Papanasam, Thanjavur District 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 at 10.30 am **once in fifteen days** until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
20/12/2021

/ 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.

WEB COPY

- TO
- 1 THE JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.
 - 2 DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE INSPECTOR OF POLICE
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.SRIDHAR, Advocate (SR-9506[I] dated 20/12/2021)

ORDER
IN
CRL OP(MD) No.20319 of 2021
Date :20/12/2021

RS/PN/SAR1(22.12.2021) 3P-6C