



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI
CRL OP(MD) . No.21132 of 2021

WEB COPY

Senthilkumar ... Petitioner/Accused Rank not known

Vs

The state represented by
The Inspector of Police,
Melur Police Station,
Madurai.
(Crime No.791/2021).

... Respondent/Complainant

For Petitioner : Mr.S.Ramakrishnan, Advocate
for Mr.T.Palanisamy, Advocate.
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.791/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 342, 294(b), 323, 307 of IPC and Section 4 of Women Harassment Act @ Sections 294(b), 307 of IPC and Section 4 of Women Harassment Act in Crime No.791 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's sister one Bragath Nisha and Al Ayyanar got acquaintance through self help group. Due to some previous enmity regarding money dispute, the petitioner herein along with other accused said to have abused the defacto complainant's sister, assaulted her and also threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that only based on the confession statement of the co-accused, the petitioner has been arrayed as accused in this case.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the Inspector of Police has sent the requisition letter to the learned Judicial Magistrate, Melur, to remove the name of this petitioner in the case in Crime No.791 of 2021. He would further submit that the investigation is yet to be completed.

5. Considering the nature of offence and also the fact that no specific overt act has been attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Melur, Madurai District, on condition that the petitioner shall execute 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 as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8. The learned Judicial Magistrate, Melur, Madurai District, is directed to enquire about how the name of the petitioner is removed from the case and send a report to the Superintendent of Police, Madurai, within one month from the date of receipt of a copy of this order.

sd/-
29/12/2021

/ TRUE COPY /

/ /2022
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,
MELUR, MADURAI DISTRICT.

<https://hcservices.mca.gov.in/>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE SUPERINTENDENT OF POLICE,
MADURAI.

ORDER
IN
CRL OP(MD) No.21132 of 2021
Date :29/12/2021

SS/VR/SAR-III/03.01.2022 : 3P/6C