



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.21095 of 2021

Muthuramalingam @ Thevar

... Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.252 of 2021)

... Respondent/Complainant

For Petitioner : Mr.S.J.Chakkkaravarthy,
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. 252 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

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

2.The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) I.P.C, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.252 of 2021 on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that on 15.12.2021, the petitioner and another intercepted the bus and quarrelled with filthy language and also attacked him. Hence, the complaint.

4.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.



5.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital. The petitioner is having three previous cases and the same was registered in the year 2012.

6.Considering the nature of offence, the overt act attributed against the petitioner, the injured person has been discharged from the hospital and except the offence under Section 506(ii) of IPC, all other offences are bailable in nature, 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, before the learned District Munsif Court cum Judicial Magistrate, Thiruchuli, Virudhunagar 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.

8.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.

sd/-

29/12/2021

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/ /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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUCHULI, VIRUDHUNAGAR DISTRICT.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.

3 THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,

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



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

+1. CC to Mr.S.J.CHAKKKARAVARTHY, Advocate SR.No.9828

WEB COPY

ORDER

IN

CRL OP (MD) No.21095 of 2021

Date :29/12/2021

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MS/PN/SAR-1/03.01.2022/3P.6C