



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Thursday, the Sixteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN  
CRIMINAL ORIGINAL PETITION No.25872 of 2021

JERALD

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE STATION HOUSE OFFICER,  
ALL WOMEN POLICE STATION,  
KARAIKKAL  
(CRIME NO.3/2021)

[ RESPONDENT ]

For Petitioner : M/S R.SREEDHAR Advocate

For Respondent : Mr.V.Balamurugane Public Prosecutor for Pondicherry

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498A and 34 of IPC in Crime No.3 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. After marriage, she developed some quarrel with her in-laws frequently. It is further alleged that the petitioner is working as IRB Police and she has visited the petitioner's office and harassed him by giving some oral complaints to his superiors. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor (Puducherry) appearing for the respondent submits that there was a misunderstanding between the petitioner/husband and the defacto complainant/wife, the present complaint has been lodged. The matter was referred to Mediation and Conciliation Centre, High Court, Madras, but, the matter is not settled in the Mediation talk and there is no change of circumstances. Hence, he vehemently opposed to grant anticipatory bail to the petitioner

5. Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Karaikal 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for an interrogation;

[c] the petitioner shall not tamper with 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

16/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.II, KARAIKAL

2 THE CHIEF JUDICIAL MAGISTRATE  
PUDUCHERRY (FOR INFORMATION)

3 THE STATION HOUSE OFFICER,  
ALL WOMEN POLICE STATION,  
KARAIKKAL.

4 THE PUBLIC PROSECUTOR  
PUDUCHERRY

5 THE ASSISTANT REGISTRAR  
TAMIL NADU MEDIATION AND CONCILIATION CENTRE,  
HIGH COURT, MADRAS.

CC to M/S R.SREEDHAR Advocate on payment of necessary charges  
Sr.9435

CRL OP.25872/2021

Date :16/06/2022

RVR 24/06/2022