



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2022

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PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.202 of 2022

Sudesh,

... Petitioner/Sole Accused

Vs

The State Rep. by,
The Inspector of Police,
Government Hospital Police Station,
Trichy City.

(Crime No. 587 of 2021).

... Respondent/Complainant

For Petitioner : MR.T.J.Ebenzer Charles, 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.587 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 447, 294(b), 323, 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.587 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case against the petitioner is that he tried to kidnap the victim in an auto. Hence, a case was registered in Crime NO.587 of 2021 under Sections 447, 294(b), 323, 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3.On the side of the petitioner it is stated that the complainant is not the victim. The complaint was lodged by the Headmaster of the Blind School, wherein, the petitioner is working as a Teacher. The petitioner and the victim were having extramarital affairs. Due to some misunderstanding, the victim refused to talk with the petitioner. Only to compel her to speak with the



petitioner, the petitioner was trying only to speak with the petitioner. The occurrence is said to have taken place on 16.12.2021. The complaint was lodged only on 19.12.2021. The petitioner is a Government Staff and prayed to be released on anticipatory bail.

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4. On the side of the respondent, it is stated that the petitioner attempted to kidnap the victim, who is physically challenged. It was the Headmaster, who save her life. The victim sustained simple injuries and she was not admitted in hospital and prayed the petition to be dismissed.

5. Considering the petitioner is a Government Servant and considering the submissions made by both parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 No.IV, Trichy, 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 daily at 10.30 a.m. until further orders. 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.

sd/-
06/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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 NO.IV,
TRICHY.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
GOVERNMENT HOSPITAL POLICE STATION,
TRICHY CITY.

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

+1 CC to Mr.T.J.EBENEZER CHARLES, Advocate (SR-110[I])

ORDER

IN

CRL OP(MD) No.202 of 2022

Date :06/01/2022

PKP/PN /SAR-2/10.01.2022/3P/6C