



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1049 of 2022

Sabarinathan

... Petitioner/Sole Accused

Vs

Sate rep.by

The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam,
Madurai District.
(Crime No.413/2018).

... Respondent/Complainant

For Petitioner : M/s.Vadivelan T, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.413/2018 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 offences punishable under Sections 294(b), 323, 324, 506(ii) and 379 (NP) of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, seeks anticipatory bail.

2. The case against the petitioner is that the petitioner has stolen registered document of valuable of properties from the defacto complainant and when the same was questioned by the defacto complainant, the petitioner threatened her with dire consequences and abused her in filthy language. A case in Crime No.413 of 2018, was registered against the petitioner, under Sections 294(b), 323, 324, 506(ii) and 379 (NP) of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act.



3. On the side of the petitioner, it is stated that the petitioner and the defacto complainant are residing to the same area. The defacto complainant is in the habit of foisting false case against so many persons. A counter case was registered against the defacto complainant and the defacto complainant is the wife of the petitioner and prayed the petitioner to be released on anticipatory bail.

4. On the side of the respondent, it is stated that the defacto complainant is the fifth wife of the petitioner. The petitioner has stolen the sale deed of the valuable properties and Rs.3,00,000/- from the defacto complainant and prayed the petition to be dismissed.

5. Considering the nature of the offence levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Tirumangalam, Madurai 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 reside in Tirunelveli District and sign before the Tirunelveli Town police station, daily twice ie. at 10.30 am and 5.00 pm., until further orders. The petitioner should not enter the house of the defacto complainant. The petitioner shall comply with the conditions 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/-
28/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
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,
THIRUMANGALAM, MADURAI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.
4. THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1049 of 2022
Date :28/01/2022

SP/PA/SAR I/04/02/2022/3P/6C