



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24.03.2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4927 of 2022

Dhass @ Sankaranarayanan

... Petitioner/Sole Accused

Vs

The State represented by,
The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
(Crime No.45 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Ayyanar Prem Kumar,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.45 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b) and 509 IPC and Section 4 of TNPWH Act, in Crime No.45 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there existed pipe line dispute between the parties, the petitioner scolded the defacto complainant and her sister with the scandalous and abusive words and also show some signs in harassing manner. Hence, the complaint.

3.When the matter is taken up for hearing today, the learned counsel for the petitioner has filed an undertaking affidavit sworn by the petitioner, wherein, he has specifically stated that he never defame any woman and show signs against any woman.



4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner is not having any previous cases.

5.Considering the above facts and taking note of the undertaking affidavit and also the fact that the petitioner is not having any previous cases for similar offence or serious offence, 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Radhapuram, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar 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 one month and thereafter, as and when required for interrogation.

[c]the petitioner shall not tamper with the 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 229-A IPC.

sd/-
24/03/2022

/ 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,
RADHAPURAM, TIRUNELVELI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.AYYANAR PREM KUMAR, Advocate (SR-2456[I] dated 24/03/2022)

ORDER

IN

CRL OP(MD) No.4927 of 2022

Date :24/03/2022

csm

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