



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

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PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8551 of 2022

1. Balasubramani
2. Chandran
3. Tamilselvan
4. Backkiam
5. Gunasundari
6. Nanthini

... Petitioners/Accused Nos.1 to 6

Vs.

The State rep.by,
The Inspector of Police,
Natham Police Station,
Dindigul District
(Crime No.124 of 2022)

... Respondent/Complainant

For petitioners : Mr.A.Jayaramachandran,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

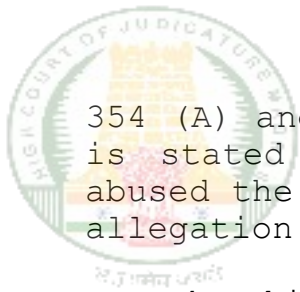
PRAYER :-For Anticipatory Bail in Crime No.124 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 6, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 11(1) of POCSO Act and Section 4 of TNPHW Act, 1998 r/w. 147, 148, 294(b), 354 (A), 323 and 506(ii) of IPC in Crime No.124 of 2022 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

3.The case against the petitioners seems to be an aftermath of the counter case filed by the petitioners in Crime No.9 of 2022. The case against the petitioners herein are under sections



354 (A) and 506(ii) IPC. Insofar as the POCSO Act is concerned, it is stated in the complaint that the petitioners herein verbally abused the victim girl, who are aged about 16 years and there are no allegation of sexual harassment.

4. Taking into account of the earlier complaint given by the petitioners against the defacto complainant and also the gravity of the overt acts attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Natham, Dindigul, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners 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 petitioners shall report before respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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]**.

sd/-
05/05/2022

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

+1 CC to M/s.A.JEYARAMACHANDRAN, Advocate (SR-4326[I] dated 05/05/2022)

ORDER
IN
CRL OP(MD) No.8551 of 2022
Date :05/05/2022

SN/TM
MK/VR/SAR.II/10.05.2022/3P/6C