



WEB COPY

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

Date : 01/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD).No.9719 of 2022

Arunachalam

... Petitioner/Accused No.1

Vs

The State represented by
The Sub Inspector of Police,
Thalamuthunagar Police Station,
Thoothukudi District.
In Crime No.179 of 2022.

... Respondent/Complainant

For Petitioner : Mr.N.Anandakumar,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.179 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 427, 506(2) of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.179 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner abused the defacto complainant in filthy language and also damaged the compound wall that belongs to the defacto complainant, thereby caused loss to the tune of Rs.2,00,000/- (Rupees Two Lakhs Only) and also threatened her. Hence the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that due to civil dispute, the petitioner attacked the defacto complainant and there is no previous case pending against the petitioner.

5.Considering the nature of offence and also considering the overt act attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Thoothukudi, 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., for a period of one month and thereafter, as and when required. 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
01/06/2022

/ 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 NO.II
THOOTHUKUDI

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.gov.in/hcservices> DISTRICT.



3 THE SUB INSPECTOR OF POLICE
THALAMUTHUNAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to Mr.N.ANADAKUMAR, Advocate (SR-5134[I] dated 01/06/2022)

ORDER

IN

CRL OP(MD) No.9719 of 2022

Date :01/06/2022

LR/RM

MK/SVR/SAR.IV/03.06.2022/3P/6C