



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/07/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11635 of 2022

Kesavan

... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
Musiri Police Station, Trichy District
(Crime No.213 of 2022)

... Respondent/Complainant

For Petitioner : MR.K.Arunraj, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.213 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 279, 294(b), 323, 353, 354 and 506(ii) of IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 and Section 4(1)(j) of Tamilnadu Prohibition Act, in Crime No.213 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Head Constable. On 19.06.2022, the petitioner along with the other accused said to have abused the defacto complainant by using filthy language and assaulted her and caused injury to her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that there is no specific allegation against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that no previous case is pending against the petitioner.



5. Reading of the CD file shows that even though the allegation has been made against the accused No.1 & 2, this petitioner is concerned, there is no specific allegation. He only accompanied the accused. After that, he ran away from the place of occurrence.

6. Considering the facts and circumstances of the case and also considering the fact that limited role that has been played by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 Court, Musiri, 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.

8. 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/-

14/07/2022

/ TRUE COPY /

/07/2022

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

ORDER IN

CRL OP(MD) No.11635 of 2022

Date :14/07/2022