



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.12292 of 2022

WEB COPY

1. Harikrishnan
2. Pandiyammal

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by
The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
(In Crime No.77 of 2022).

... Respondent/Complainant

For Petitioners: M/s.BALAJI.A, 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.77 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 354A, 294(b) and 506(i) of IPC in Crime No.77 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.06.2022, at about 6.50 p.m., when the defacto complainant's daughter was returning home along with the cow after farming, the 1st petitioner stopped her from behind by pulling her saree and tried to sexually assault her. When she tried to ran away from the occurrence place, her saree got torn an the 1st petitioner threatened to kill her. On the next day morning the 2nd petitioner went to the defacto complainant's home and threatened them with dire consequences as not to reveal anything about the incident. Hence, the complaint.

3. The learned counsel for the petitioners submitted that he not pressed the petition in respect of the first petitioner. He further submits that the only overt act attributed against the 2nd petitioner is that he threatened the defacto complainant's family.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that investigation is pending.

5. Since the counsel for the petitioner not pressed this petition in respect of the first petitioner, this criminal original



petition is dismissed as not pressed in respect of the petitioner.

6. Considering the nature of offence and the limited overt act attributed against the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner.

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7. Accordingly, this Criminal Original Petition is allowed and the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruchuli, on condition that the second 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 second petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The second petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The second 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/-

08/07/2022

/ 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, THIRUCHULI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
NARIKUDI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.12292 of 2022
Date : 08/07/2022

SA/PN/SAR.2/18.07.2022/2P/5C

<https://www.mhc.tn.gov.in/judis>