



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16/09/2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13118 of 2022

WEB COPY

Prasannakumar

... Petitioner/1st Accused

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Fort, Tiruchirapalli,
Tiruchirapalli District.
Crime No. 04 of 2021.

... Respondent/Complainant

For Petitioner : M/s. Solaisamy.M,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 4 of 2021 on the file of
the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2.Today(16.09.2022), when the matter is taken up for hearing,
the learned counsel appearing for the petitioner and the learned
Government Advocate appearing for the respondent submits that this
Criminal Original Petition is arising out of matrimonial dispute and
now it has been amicably settled between the petitioner and the
defacto complainant. In this regard, a settlement deed has also been
submitted before this Court.

3.Recording the said settlement deed, this Court is inclined to
grant anticipatory bail to the petitioner.

4.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, within a period of fifteen days from
the date of receipt of a copy of this order, before the Additional
Mahila Court (JM Level),Trichy, on condition that the petitioner
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 petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police as and when required.

[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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

16/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE ADDITIONAL MAHILA JUDGE (JM LEVEL),
TRICHY.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
FORT, TIRUCHIRAPALLI,
TIRUCHIRAPALLI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-10237[I] dated 20/09/2022)

ORDER IN

CRL OP(MD) No.13118 of 2022

Date :16/09/2022

vrn

USK/VR/SAR-I/23.09.2022/2P/6C

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