



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

Dated: 24/08/2022

PRESENT

WEB COPY

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.13556 of 2022

Murugan @ Arumugam

: Petitioner/Sole Accused

Vs.

The State rep. By,
The Inspector of Police,
Allwarkurichi Police Station,
Tenkasi District.
(Crime No.138 of 2022)

: Respondent/Complainant

For Petitioner : Mr.K.P.Narayanakumar,
Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Criminal side)

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

PRAYER:-

For Anticipatory Bail in Crime No.138 of 2022 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 306, 511, 506(i) IPC and section 4 of Women Harassment Act, in Crime No.138 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the wife of Sallappan. Some four years prior to the complaint, her husband started a business along with one Mathiyalagan by purchasing harvesting machine. There was some trouble between them. That was compromised. Because of the above said issue, there was no cordiality between the de-facto complainant family and the above said Mathiyalagan and his brother namely Murugan. On 18/07/2022 at about 11.30 am, the above said Murugan made some indecent proposal and offer and that was intentionally made with an intention to insult and making nuisance. She warned the above said Murugan. She fearing that the village people may think, otherwise about the character, she consumed ant power. She was taken to the hospital. On



the basis of the complaint given by the de-facto complainant, the case was registered.

3. Seeking anticipatory bail, this petition has been filed by the petitioner on the ground that over the above said issue of purchasing the harvesting machine and business, there was trouble between them, on 18/07/2022. The petitioner was assaulted by the de-facto complainant's father-in-law. A police complaint was made. But no action was taken and ant killer poison was taken by the de-facto complainant over some family issue. On the particular date of the occurrence, he is not present in the place of occurrence and he was attending to some duty near A.R.R Bakery, which was 3 kms away from the place of occurrence.

4. Heard both sides.

5. The respondent was directed to verify the CCTV footage available near the A.R.R Bakery, to know whether the petitioner was not present in the place of occurrence. A report submitted to the effect that CCTV footage did not record the Bakery events.

6. Considering the above facts and also considering the fact that since major portion of the investigation is over and no bad antecedent is also reported against the petitioner, this court is **inclined to enlarge the petitioner** with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Ambasamudiram and on his executing 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 on further condition that the petitioner shall appear before the respondent daily at 10.30 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 will stand dismissed.

sd/-

24/08/2022

/ TRUE COPY /

/08/2022

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,
AMBASAMUDIRAM.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,
ALWARKURICHI POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-8989[I] dated
25/08/2022)

ORDER

IN

CRL OP(MD) No.13556 of 2022

Date :24/08/2022

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USK/PN/SAR-II/30.08.2022/3P/6C