



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 23/11/2022  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice A.A.NAKKIRAN**

CRL OP(MD) . No.14517 of 2022

1. Ganesh Pandian,

2. Jeganathan ... Petitioners/Accused No.1 & 2

[2<sup>nd</sup> petitioner dismissed vide order  
dated 23.08.2022]

**Vs**

1. The Inspector of Police,  
A.W.P.S Manapparai,  
Thiruchirappalli District.  
Crime No.12/2022.

... Respondent/Complainant

2. Nithya ... 2<sup>nd</sup> Respondent  
(R2 is suo-motu impleaded as per  
order of the Court dated  
23/08/2022 in Crl.OP(MD) .  
14517/2022 by GIJ)

For Petitioner : M/s.MURUGESAN.P,  
Advocate.

For R1 : Mrs.M.AASHA,  
Government Advocate (Crl.Side)

For R2 : Mr.M.BEEMARAO, Advocate

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

**PRAYER :-** For Anticipatory Bail in Crime No.12 of 2022 on the  
file of the respondent Police.

**ORDER :** The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of  
the respondent police for the offences punishable under Sections  
498(A), 294(b) and 376 IPC r/w Sections 511 and 506(i) IPC, in Crime  
No.12 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the first accused is the  
husband of the de-facto complainant. A2 to A4 are in-laws of the de-

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



facto complainant. On 11.02.2022, A2 attempted to rape the complainant. When the de-facto complainant reported the same to the first accused, he did not take any action against the second accused. Further, the first accused scolded the de-facto complainant in filthy language. Hence, the complaint.

3. When the matter was taken up for hearing on 07.10.2022, this Court considering the submissions made by the learned counsel for the petitioners as well as the learned Government Advocate (Crl. side), has granted interim anticipatory bail to the first petitioner till 21.11.2022.

4. When the matter is taken up for hearing today, the learned counsel on either side would submit that in the mediation process, the matter was compromised between the parties and mediation report was also produced before this Court.

5. Considering the facts and circumstances of the case and also considering the fact that the matter was compromised between the parties, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.

6. Accordingly, the first petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Manapparai, on condition that the first 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 on further conditions that:

(a) the first petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police as and when required for interrogation;

(c) the first petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the first 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 first petitioner in accordance with law as if the conditions have been imposed and the first 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)**



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
23/11/2022

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/ TRUE COPY /

/12/2022

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

**TO**

- 1 THE JUDICIAL MAGISTRATE,  
MANAPPARAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,  
A.W.P.S MANAPPARAI,  
THIRUCHIRAPPALLI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.MURUGESAN.P Advocate SR.No.13505 (I)  
Date:23/11/2022.

**ORDER**

**IN**

CRL OP(MD) No.14517 of 2022  
Date :23/11/2022

SJI  
SA/SSS/SAR.2/05.12.2022/3P/6C