



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

Date : 08/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.14780 of 2022

Ramanathan,

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
Vadipatti Police Station,
Madurai District.
(Crime No.200/2022).

... Respondent/Complainant

For Petitioner : Mr.M.Venkatesan, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.200/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 447, 354, 506(ii) of IPC and Section 4 of TNPHW Act in Cr.No.200 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity on 07.07.2021 at about 04.00 p.m., when the defacto complainant was working in her field the accused trespassed into the land of the defacto complainant, abused her in filthy language, attacked her and also criminally intimidated her. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is aged about 81 years and due to previous enmity a false case has been registered against him. It is also further stated that no previous case is pending against the petitioner.

4.On the side of the prosecution, it is stated that this First Information has been registered based on the Court direction. It is a case in counter and no previous case is pending against the



5.Considering the nature of the offence and on considering the fact that no previous case is pending against the petitioner and also considering the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of 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, Vadipatti, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.

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

(d)the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

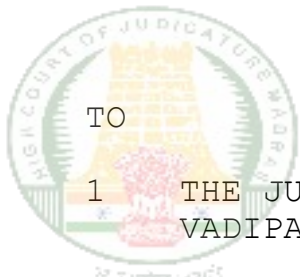
(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

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

sd/-
08/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.M.VENKATESAN, Advocate (SR-9791[I] dated 08/09/2022)

ORDER

IN

CRL OP(MD) No.14780 of 2022

Date :08/09/2022

aav

PKP/VRS/SAR-1/13.09.2022/3P/6C