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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15051 of 2022

Rajmohan, ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Lalgudi Police Station,
Trichy
(Crime No. 304 of 2022).

... Respondent/Complainant

For Petitioner : Mr.Vishnu.V, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.304 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 294(b), 324 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022 in Crime No.304 of 2022 on the file of the respondent police.

2.The case of the prosecution, as per the allegation that has been made in the complaint, is that the defacto complainant was working in the Central Government scheme, called Swachh Bharat Abhiyan. Two months prior to the aforesaid occurrence, the petitioner along with one Rajmohan prevented her from working in the Ward Nos.5 and 6 and the aforesaid Rajmohan also criminally intimidated her.



3. On 18.04.2022 at about 08.50 am., when she was in the area and was making arrangements for an awareness programme, the accused person came there, picked up quarrel, abused her in filthy language and also criminally intimidated her. Over the aforesaid occurrence, on the same day at about 08.00 pm., the same was questioned by her husband and at that time, he was also criminally intimidated and sustained simple injury, over which the present FIR has been registered.

4. The learned Government Advocate (Crl.side) for the respondent would submit that due to the previous enmity of working in the aforesaid scheme, trouble has arisen between the parties, over which the counter case in Crime No.303 of 2022 has also been registered. He would further submit that in both the cases, the injured has been discharged from the hospital and no previous bad antecedents is reported against the petitioner.

5. Considering the fact that the injured has been discharged from the hospital and no previous bad antecedent is reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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, before the Judicial Magistrate Court, Lalgudi, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 shall stand dismissed.

sd/-
23/08/2022

/ TRUE COPY /

/09/2022

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

MM

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



TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
LALGUDI POLICE STATION, TRICHY

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

ORDER
IN
CRL OP(MD) No.15051 of 2022
Date :23/08/2022

PKP/PN/SAR-4/02.09.2022/3P/5C