



WEB COPY



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

Date : 02/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15894 of 2022

A.Baskaran

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Palayanur Police Station,
Sivagangai District.
(Crime No.39 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Sasikumar V, Advocate

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

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

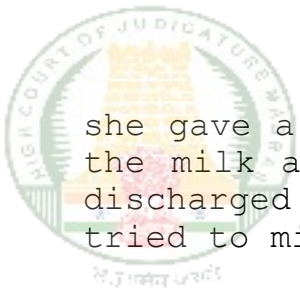
PRAYER :-

For Anticipatory Bail in Crime No.39 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 354 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 1998, in Crime No.39 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 23.08.2022 at about 1045PM, when the defacto complainant was in her house, the accused criminally trespassed into the house and misbehaved with her. When the relation came there, he ran away from the scene. Due to that, the defacto complainant consumed poison. However, in the hospital,



she gave a statement to the Police that her son mixed rat poison in the milk and without knowing the same, she consumed it. She was discharged from the hospital on 28.08.2022 and again the accused tried to misbehave with her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) for the respondent police submitted that the defacto complainant gave a contradictory statements before the respondent Police.

5. Today, the respondent Police appeared before this Court and stated that they are not in a position to ascertain which version of the defacto complainant is true.

6. Considering the contradictory statement made by the defacto complainant, the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District 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.

8. 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 stands dismissed.

Sd/-
02/09/2022

/ TRUE COPY /

08/09/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM,
SIVAGANGAI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
PALAYANUR POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SASIKUMAR V Advocate SR.No.9577

ORDER

IN

CRL OP (MD) No.15894 of 2022

Date :02/09/2022

SP/SVR/SAR I/08/09/2022/3P/6C