



WEB COPY



Crl.O.P.(MD)No.16770 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2022

CORAM :

**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

Crl.O.P.(MD)No.16770 of 2022

David Jacobraj

... Petitioner

Vs.

1.The Superintendent of Police,  
Tirunelveli,  
Tirunelveli District.

2.The Inspector of Police,  
All Women Police Station,  
Valliyur,  
Tirunelveli District.

3.Jebalitra

... Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the third Respondent not to harass the Petitioner without following the due process of law based on his representation, dated 07.09.2022.

|                |                                |
|----------------|--------------------------------|
| For Petitioner | : Mr.C.Susi Kumar              |
| For R1 – R2    | : Mr.A.Albert James            |
|                | Government Advocate (Crl.side) |



Crl.O.P.(MD)No.16770 of 2022

## **ORDER**

WEB COPY

This Criminal Original Petition had been filed to direct the third Respondent not to harass the Petitioner without following the due process of law based on his representation, dated 07.09.2022.

2.The learned Government Advocate (Crl.side) appearing for the first and second Respondents submitted that the Petitioner is arrayed as A2 in Crime No.18 of 2022 for the offences under Sections 294(b), 417, 376, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Women Act and he was already granted anticipatory bail in Crl.O.P(MD)No.19753 of 2022.

3.As per procedure followed by the Courts while granting bail, this Court directs the Petitioner to co-operate with the pending investigation and to co-operate with the trial proceedings before the trial Court. Therefore, there cannot be any excuse under the guise of harassment.

4.If the Petitioner does not co-operate with the pending investigation as per the condition imposed in Crl.O.P(MD)No.19753 of 2022, the second Respondent shall approach the Court of learned Judicial Magistrate concerned as per the reported Ruling of the Hon'ble Supreme Court in

***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*** and seek



Crl.O.P.(MD)No.16770 of 2022

cancellation of bail.

WEB COPY

5.In view of the above, this Criminal Original Petition stands dismissed.

14.11.2022

Index : Yes/No  
vsd

To

- 1.The Superintendent of Police,  
Tirunelveli,  
Tirunelveli District.
- 2.The Inspector of Police,  
All Women Police Station,  
Valliyur,  
Tirunelveli District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



**Crl.O.P.(MD)No.16770 of 2022**

**SATHI KUMAR SUKUMARA KURUP, J.,**

vsd

**Crl.O.P.(MD)No.16770 of 2022**

14.11.2022