



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

Date : 28/09/2022

PRESENT

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

CRL OP(MD). No.17346 of 2022

T.Jevarekha, ... Petitioner/Accused No.2  
Vs

State Rep.by  
The Inspector of Police,  
Thiruchitrambalam Police Station,  
Thanjavur District.  
(Crime No.371/2022). ... Respondent/Complainant

For Petitioner : Mr.R.Venkateshwar, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.371/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii) of IPC, Section 4 of TNPHW Act and Section 67 of Information Technology Act, 2008, in Cr.No.371 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant who is the daughter -in-law of the petitioner lodged complaint stating that on 11.03.2021 the petitioner and her son abused her in filthy language and also criminally intimidated her with dire consequences.

3. The learned counsel for the petitioner would submit that due to enmity, a false case foisted against the petitioner and the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.Side) would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he is entitled to be released on bail. If the petitioner is released



on bail, he will abscond again, hence he strongly opposed it anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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, Peravurani, Thanjavur 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 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 until further orders.

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

(d) the 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 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/-  
28/09/2022

/ TRUE COPY /

/10/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,  
PERAVURANI, THANJAVUR DISTRICT.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE  
THIRUCHITRAMBALAM POLICE STATION,  
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.17346 of 2022

Date :28/09/2022

aav

PKP/GB/SAR /10.10.2022/3P/5C