



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/10/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17919 of 2022

Thalamalai

... Petitioner/Sole Accused

Vs

State rep.by the
The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
Crime No.18 of 2022

... Respondents/Complainant

For Petitioner : Mr.C.Christopher,
Advocate.
For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Criminal Side)

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

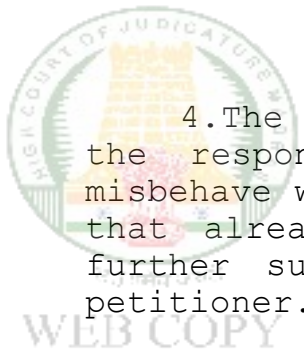
PRAYER :-For Anticipatory Bail in Crime No.18 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 354, 345(A) of IPC and Section 92(b) of Right of Person with Disabilities Act 2016, in Crime No.18 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioner are neighbours. On 15.09.2022 at about 1.30 p.m., the petitioner tried to misbehave with the defacto complainant's daughter. On seeing the neighbours, the petitioner ran away from the occurrence place. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that due to previous dispute, the present complaint has been registered by the defacto complainant.



4. The learned Government Advocate (Criminal Side) appeared for the respondent police submitted that the petitioner tried to misbehave with the defacto complainant's daughter and also submitted that already there is previous dispute between the parties. He further submitted that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the antecedents of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Srivilliputhur, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioner shall report before the respondent police **once in a week i.e., on every Wednesday at 10.30 a.m.**, for a period of six weeks, and thereafter, as and when required for interrogation.

(c) the petitioner shall not tamper with the 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 / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

06/10/2022

/ TRUE COPY /

/10/2022

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



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 concerned.

TO

- 1 THE JUDGE,
ADDITIONAL MAHILA COURT,
SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.CHRISTOPHER, Advocate (SR-11020[I] dated 06/10/2022)

ORDER
IN
CRL OP(MD) No.17919 of 2022
Date :06/10/2022

TTA
MK/SVR/SAR.I/10.10.2022/3P/5C