



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 20/10/2022  
PRESENT

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

CRL OP(MD). No.18860 of 2022

C.Edwinson

... Petitioner/Sole Accused

**Vs**

The State rep.by  
The Inspector of Police,  
Marthandam Police Station,  
Kanyakumari District.  
Crime No. 449 of 2022.

... Respondent/Complainant

For Petitioner : M/s.JAMEEL ARASU B,  
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

**PRAYER :-** For Bail in Crime No. 449 of 2022 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 01.10.2022 for the offences punishable under Sections 294(b), 354(A) and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in crime No.449 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had misbehaved with the de-facto complainant and also harassed her sexually and called the de-facto complainant over phone teased her. Thereafter, the de-facto complainant was informed the act of the petitioner to her husband. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to money dispute, a false case was foisted against the petitioner and the petitioner is innocent and he is in judicial custody from 01.10.2022, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner had misbehaved with the de-facto complainant and also



harassed her sexually and called the de-facto complainant of the case. He teased her. The investigation is not yet completed. Hence, he strongly opposed to grant bail.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 Judicial Magistrate Court No.1, Kuzhithurai, Kanyakumari District.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].

sd/-

20/10/2022

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20/10/2022

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

**TO**

1 THE JUDICIAL MAGISTRATE COURT NO.I,  
KUZHITHURAI, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT AT NAGERCOIL.



3 THE OFFICER INCHARGE  
DISTRICT PRISON, NAGERCOVIL, KANYAKUMARI DISTRICT.

4 THE INSPECTOR OF POLICE,  
MARTHANDAM POLICE STATION,  
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.JAMEEL ARASU B Advocate SR.No.11729

**ORDER**

**IN**

CRL OP(MD) No.18860 of 2022  
Date :20/10/2022

SJI  
SA/SSS/SAR. /20.10.2022/3P/7C