



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2022

PRESENT

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

CRL OP(MD). No.19656 of 2022

A.Velu @ Kolunthuvel

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
Crime No.301/2022

... Respondent/Complainant

For Petitioner : M/s.Praveenkumar P,
Advocate.

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

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

PRAYER :-

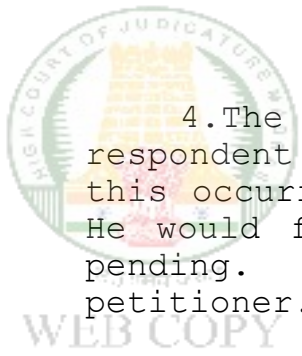
For Anticipatory Bail in Crime No. 301/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(ii) of I.P.C r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.301 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 24.10.2022, due to previous enmity, the petitioner went to the defacto complainant's house and abused her in filthy language and also made a serious life threat to her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is practicing Advocate, due to his influence, the respondent police registered the present FIR against the petitioner. He would further submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he may be granted anticipatory bail.



4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that no one sustained injuries in this occurrence and the petitioner is not having any previous case. He would further submit that investigation in this case is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the nature of offence and also the facts that no one sustained injuries in this occurrence and the petitioner is not having any bad antecedents, 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sathankulam, 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 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 Aadhaar card or bank pass book to ensure their identity;

[b]the petitioner shall report before the Inspector of Police, Nazareth Police Station, Tuticorin District, daily at 10.30 a.m., until further orders;

[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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/11/2022

/ TRUE COPY /

/11/2022

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



TO

1 THE JUDICIAL MAGISTRATE, SATHANKULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE,
NAZARETH POLICE STATION,
TUTICORIN DISTRICT.

ORDER

IN

CRL OP(MD) No.19656 of 2022

Date :07/11/2022

CP

RS/VR/SAR.2(17.11.2022) 3P-6C