



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2022

CORAM

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THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.21640 of 2022

Vishwanath @ Ayyavu

...Petitioner/Sole Accused

-vs-

State rep.by
The Inspector of Police,
Sellur Police Station,
Madurai District.
(in Crime No.271 of 2022)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to enlarge the Petitioner on bail in the event of his arrest by the respondent Police with respect to Crime No.271 of 2022.

For Petitioner : Mr.M.Pandian, Advocate

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323, 506(i) IPC and Section 4 of TNPHW Act, in Crime No.271 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that the accused, who is an Advocate, used to drink and fight with everybody in the street. While so, on 10.01.2022, the accused had abused the de-facto complainant and her family members and also attempted to misbehave with her by tearing her blouse. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would further submit that the de-facto complainant and her family members were indulging in illegal activities and when it was questioned by petitioner, a false complaint has been given.



4.The learned Government Advocate (Crl.side) would submit that the petitioner is an Advocate and he has misbehaved with the de-facto complainant and abused her family members with filthy language and also intimidated her.

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5.Heard the learned Counsels. Taking into consideration the facts and circumstances of the case and on perusing the records, 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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Velachery Police Station, Chennai everyday at 06.30 p.m., for a period of two weeks and thereafter, report before the respondent Police as and when required, on receipt of summons.

[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]**.

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

Sd/-

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



1. THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI DISTRICT.

4. THE INSPECTOR OF POLICE,
VELACHERY POLICE STATION,
CHENNAI.

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

+1. CC to M/S. PANDIAN.M Advocate SR.No.14638

ORDER
IN
CRL OP(MD) No.21640 of 2022
Date :07/12/2022

SP/SSS/SAR III/15/12/2022/3P/7C