



WEB COPY

CRL OP(MD).



23

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

Date : 23/01/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.1215 of 2023

P.Thivagarar ... Petitioner/Accused Rank not known

Vs

The state represented by
The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
(Crime No.4/2023).

... Respondent/Complainant

For Petitioner : M/s.Balaji S,
Advocate.

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

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

PRAYER :-

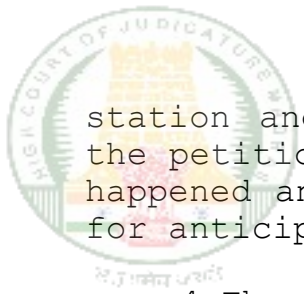
For Anticipatory Bail in Crime No.4/2023 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of
the respondent police for the offences punishable under Sections 509
and 506(ii) of I.P.C., in Crime No.4 of 2023 on the file of the
respondent police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant
Kalpana, who is working as Grade I Constable of Kottamapatti Police
Station, Madurai District, is that the petitioner had called her
over phone and abused her and also gave life threat to her. Hence,
the case.

3.The learned counsel for the petitioner would submit that the
petitioner is an innocent and a false complaint has been given. He
further submit that the petitioner had called the police



station and during that time, the de-facto complainant had called the petitioner and there was a quarrel, other than that, nothing had happened and a false complaint has been given. Hence, he would seek for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner had called the de-facto complainant, who is working as Grade I Constable of Kottamapatti Police Station, Madurai District, over phone and abused her and also gave life threat to her and hence, he would oppose for grant of anticipatory bail.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7.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, Singampunari, 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 respondent Police, daily at 10.30 a.m. 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].



CRL OP(MD)



23

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

sd/-
23/01/2023

/ TRUE COPY /

/02/2023

WEB COPY

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

TO

- 1 THE JUDICIAL MAGISTRATE,
SINGAMPUNARI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SINGAMPUNARI POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.BALAJI S Advocate SR.No.1169

ORDER
IN
CRL OP(MD) No.1215 of 2023
Date :23/01/2023

SS/BUC/SAR-III/01.02.2023/3P/6C