



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

Date : 15/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.4876 of 2023

WEB COPY

Thirupathi

... Petitioner/A2

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Dindigul District.
Cr.No.3/2023.

... Respondent/Complainant

For Petitioner : M/s.Althaf Sheriff
for M/s. Ajmal Associates,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 3/2023 on the file of the
Respondent police.

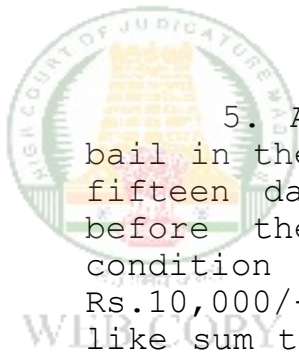
ORDER : The Court made the following order :-

The petitioner/A2 who apprehends arrest at the hands of the
respondent police for the offences punishable under sections 11(4)
and 12 of POCSO Act,2012 and sections 417 and 506(i) of IPC in Crime
No. 3 of 2023 on the file of the respondent police, seeks
anticipatory bail.

2. The case of the prosecution is that A1 and the defacto
complainant were studying in the same school and they both loved
each other. It is further alleged that A1 insisted the defacto
complainant to share her private images and videos promising that
he will marry her. later A1 refused to marry him and while the
father of the defacto complainant approached the petitioner and
asked him to get his son married with the defacto complainant the
petitioner said to have threatened him with dire consequences.

3. Heard both side and perused the materials available on record
including the First Information Report.

4. Taking into consideration of the facts and circumstances of
the case and also the fact that the petitioner has only threatened
the defacto complainant and A1 in this case was granted bail by the
Fast Track Mahila Court, Dindigul this court is inclined to grant
anticipatory bail to the petitioner , with certain conditions:



5. 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 Mahila Court(Fast Track Mahila Court) Dindigul 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 am., for a period of two weeks and thereafter as and when required for interrogation.

[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/-

15/03/2023

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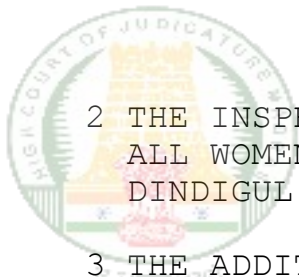
/03/2023

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

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TO

1. THE JUDGE, MAHILA COURT(FAST TRACK MAHILA COURT) DINDIGUL.



2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DINDIGUL DISTRICT.

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

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+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.15534(f)

ORDER

IN

CRL OP(MD) No.4876 of 2023

Date :15/03/2023

RK/CG/SAR-4 (21/03/2023) 3P/5C