



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

Date : 28.04.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.8291 of 2023

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Periyasamy

... Petitioner/Rank not known

Vs

State Rep.by
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
(Crime No.107 of 2023)

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj, Advocate
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.107 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

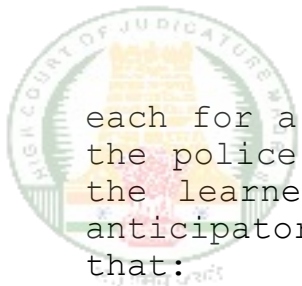
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(i) IPC r/w Section 4 of the Women Harassment Act in Crime No.107 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioner abused the defacto complainant in filthy language and also assaulted her. Hence, the case.

3.Heard both sides and perused the materials available in the record.

4.Considering the facts and circumstances of the case, 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 learned District Munsif cum Judicial Magistrate, Thottiyam on condition that the petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties



each for a like sum to the satisfaction of the respondent } 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:

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[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., 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/-

28/04/2023

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/05/2023

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

gns

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THOTTIYAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-7123[I] dated 28/04/2023)

ORDER IN

CRL OP(MD) No.8291 of 2023

Date :28/04/2023

RS/VR/SAR-2(17.05.2023) 2P 6C