



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

Date : 16/06/2023

PRESENT

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

CRL OP(MD). No.10673 of 2023

Arun

... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
In Crime No.103 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Vikram.S.,
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.103 of 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 341, 294(b), 354 and 506(i) of IPC and r/w Section 4 of TNPHW Act in Crime No.103 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.02.2023 at about 05.00 pm., when the defacto complainant, after completing the college, entered into her home, at that time, all the petitioners were stay and restrained the defacto complainant for entering her house and also threatened her father. Therefore, the defacto complainant gave a complaint before the respondent police. Enquiry was conducted against the petitioners herein. Based on the complaint, the respondent also registered an FIR. Hence, the case.

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 co accused were granted anticipatory bail by this Court, 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 Judicial Magistrate Court No.I, Rajapalayam, Virudhunagar District** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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 three 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/-

16/06/2023

**(*)MODIFIED AS PER THE ORDER OF THE DATED
10/07/2023 IN CRL MP(MD)No.9742 of 2023 in
CRL OP(MD)No.10673 of 2023.**

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/07/2023

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

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TO
TO BE SUBSTITUTED WITH THE ORDER DATED 16/06/2023 ALREADY DESPATCHED.

WEB COPY

1. THE JUDICIAL MAGISTRATE NO.I,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE JUDGE,
MAHILA COURT NO.I, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
 4. THE INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.S.VIKRAM, Advocate (SR-9103[I] dated 20/06/2023)

ORDER
IN
CRL OP(MD) No.10673 of 2023
Date :16/06/2023

RK/BUC/SAR- (22/06/2023) 4P/5C
SS/BUC/14/07/2023/4P/7C