



CRL OP(MD). No.13375 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Rajapandi

... Petitioner / Sole Accused

Vs

State through its
The Inspector of Police,
Cholavanthan Police Station,
Madurai District.
(Crime No.159/2023.)

... Respondent / Complainant

For Petitioner : M/s.Manivelpandian.M.M, Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.159 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested for the alleged offence under Sections 294(b) and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.159 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 14.07.2023 at about 11 p.m, the

<https://www.mhc.tn.gov.in/judis>



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petitioner knocked the defacto complainant's younger daughter house and abused her in filthy language. Thereafter, on 15.07.2023, at about 04.00 p.m, the defacto complainant went to the petitioner's house, at that time also, the petitioner abused the defacto complainant in filthy language and attacked her.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that he is also ready to file an undertaking that he will not make any trouble to her in future. Hence, prays for bail.

4. On the earlier occasion, the learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is having previous cases, at that time, the learned counsel for the petitioner submitted that the petitioner has been acquitted from the above said case. Therefore, this Court directed the petitioner to produce the judgment copy before this Court.

5. A perusal of judgment shows that on that case, the petitioner was acquitted.

6. Considering the facts and circumstances of the case, the readiness of the petitioner to file an affidavit that they will not make any trouble to the defacto complainant and her daughter, this Court is inclined to grant anticipatory bail to the petitioner with stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of



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arrest or his appearance, before the learned Judicial Magistrate, Vadipatti, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

9. The petitioner shall file an undertaking affidavit before the concerned Police Station stating that they will not make any trouble to the defacto complainant and others in future. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-
10/08/2023

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/09/2023

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

TTA



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1.The Judicial Magistrate, Vadipatti.

2.Do through the Chief Judicial Magistrate, Madurai District.

3.The Inspector of Police,
Cholavanthan Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.NANDHINI GEETHA, Advocate (SR-12198[I] dated 11/08/2023)
ORDER
IN

CRL OP(MD) No.13375 of 2023

Date :10/08/2023

ED/VRS/SAR- (07/09/2023) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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