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

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14990 of 2023

Azhaguraja

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District.
(Crime No.160 of 2023).

... Respondent/Complainant

For Petitioner : Mr.L.Prabhu, 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.160 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 of I.P.C and 4 of TNPWH Act, in Crime No.160 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioner



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are the relatives. The accused involved in the illegal activities of sexual harassment by showing signs to the wife of the defacto complainant and he was warned and advised by the elders. Since the petitioner continued the illegal activities of sexual harassment, whe the defacto complainant and his wife warned the accused on 31.07.2023, the petitioner scolded them using filthy language and assaulted them. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and has not committed any such offence as alleged by the prosecution. Further, the petitioner is ready to file an undertaking affidavit that he will not make any trouble to the defacto complainant and his wife in future.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that it is a case and counter case.

5. Considering the facts and circumstances of this case, it is a case and counter case and also considering that the petitioner is ready to file an undertaking affidavit that he will not make any trouble to the defacto complainant and his wife in future, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Virudhunagar, on condition that the petitioner shall



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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 learned Magistrate concerned and on further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will not make any trouble to the defacto complainant and his wife in future and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders. If any case is registered against the petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
17/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.I
VIRUDHUNAGAR.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
WEB C VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

+1 CC to M/s.L.PRABHU, Advocate (SR-12373[I] dated 17/08/2023)

ORDER

IN

CRL OP(MD) No.14990 of 2023

Date :17/08/2023

SS/VR/29/08/2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023