



CRL OP(MD) No.3142 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3142 of 2024

P.SUKUMARAN

... Petitioner / Sole Accused

Vs

THE INSPECTOR OF POLICE
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO. 105 OF 2024)

... Respondent / Complainant

For Petitioner : M/s.R.Alagumani, Advocate

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

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO. 105 OF 2024 ON THE
FILE OF THE RESPONDENT POLICE.



CRL OP(MD) No.3142 of 2024

ORDER: The Court Made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323 and 506(ii) IPC, 1860 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.105 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that on 19.12.2023, the petitioner had abused the defacto complainant and caused hurt to her. Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is granted anticipatory bail and he 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, on condition that the petitioner shall execute a



CRL OP(MD) No.3142 of 2024

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 and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)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;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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



CRL OP(MD) No.3142 of 2024

in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

WEB COPY

(g)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC;

sd/-

28/02/2024

/ TRUE COPY /

/03/2024

Sub-Assistant Registrar

(C.S. I / II / III /IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

SSB

To

1.The Judicial Magistrate,
Thiruvaiyaru.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.

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

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-2497[I] dated 28/02/2024)



WEB COPY



CRL OP(MD) No.3142 of 2024

ORDER

IN

CRL OP(MD) No.3142 of 2024

Date :28/02/2024

ED/ VR /SAR- (04/03/2024) 5P / 6C

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