



CRL OP(MD). No.4234 of 2024

WEB COPY

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

Date : 18/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4234 of 2024

A.Suresh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Panaiyapatti Police Station,
Pudukottai District.
In Crime No.12/2024

... Respondent/Complainant

For Petitioner : Mr.C.Susikumar,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.12/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 26.02.2024 for the offence punishable under Sections 448, 354(A), 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act @



CRL OP(MD). No.4234 of 2024

Sections 448, 354(A), 354 and 506(i) IPC in Crime No.12 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 25.02.2024, when the defacto complainant was in her house, at that time, the petitioner trespassed into her house and tried to misbehave with her. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would further submit that the petitioner was arrested and remanded to judicial custody on 26.02.2024 and hence, he prays for bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that taking advantage of the defacto complainant's husband is working in abroad, the petitioner herein trespassed into the house of the defacto complainant and tried to misbehave with her.

5. Heard the learned counsel on either side.



CRL OP(MD). No.4234 of 2024

WEB COPY

6. Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Thirumayam and on further conditions that:

(a) 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) If the petitioner again tries to misbehave with the defacto complainant, the bail granted by this Court shall stand automatically cancelled.

(c) the petitioner is directed to appear before the respondent police daily at 10.30 A.M, until further orders;



CRL OP(MD). No.4234 of 2024

WEB COPY

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

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

(g)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]; and;

(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/03/2024

/ TRUE COPY /

18/03/2024
Sub-Assistant Registrar (CS -II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



CRL OP(MD). No.4234 of 2024

TO
WEB COPY

1. The Judicial Magistrate, Thirumayam.
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Superintendent, Central Prison, Trichy.
4. The Inspector of Police,
Panaiyapatti Police Station,
Pudukottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.4234 of 2024
Date :18/03/2024

RK (18/03/2024) 5P / 6C

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