



CRL OP(MD). No.5310 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/04/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5310 of 2024

Selva @ Selvarathnam

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(Crime No.46/2024).

... Respondent/Complainant

For Petitioner : Mr.A.Balaji, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.46/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.46 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the friend of the first



CRL OP(MD). No.5310 of 2024

WEB COPY

accused, who is the husband of the defacto complainant and first accused and the defacto complainant had obtained divorce in the year 2019. On 23.02.2024, the petitioner along with the first accused have attacked the defacto complainant and threatened her with dire consequences.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he is not involved in the alleged occurrence. Since the petitioner is the friend of A1, he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor for the respondent submits that based on a complaint given by the defacto complainant, a case in Crime No.46 of 2024 has been registered. The injured has been discharged from the Hospital.

5.Considering the nature of allegations and considering the fact that the injured has been discharged from the Hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Rajapalayam on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate,



CRL OP(MD). No.5310 of 2024

Rajapalayam and on further conditions that:

WEB COPY

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30 am for a period of fifteen days and thereafter shall appear as and when required. He has to co-operate for the investigation.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-

05/04/2024

/ TRUE COPY /

/04/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.5310 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER IN
CRL OP(MD) No.5310 of 2024
Date :05/04/2024

RS/JGB/SAR-(12.04.2024) 4P 5C

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