



CRL OP(MD). No.7423 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

THE HON'BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.7423 of 2024

Murugan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
(Crime No. 193/2024).

... Respondent/Complainant

For Petitioner : Mr.C.M.Arumugam,
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.193 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 02.05.2024, for the offence under Sections 452, 294(b), 354(A) and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.193



CRL OP(MD). No.7423 of 2024

of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner has attempted to harass the defacto complainant and her mother, by knocking their house door and also used obscene words. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the defacto complainant has borrowed a sum of Rs.80,000/- from the petitioner's wife and when they demanded the amount, she has not come forward to repay the amount. Instead, she has lodged a complaint as against the petitioner as if he has harassed the defacto complainant. The petitioner is languishing in jail from 02.05.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police strongly opposes for grant of bail to the petitioner and submits that the investigation in this case is yet to be completed. He fairly submits that no previous case is pending as against this petitioner.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration and considering the antecedent of the petitioner, this court is inclined to grant bail to the petitioner with some stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a



CRL OP(MD). No.7423 of 2024

bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for

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a like sum to the satisfaction of learned Judicial Magistrate, Additional Mahila (JM

Court Level) Court, Dindigul and on further conditions that :-

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, Trichy daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- e) 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 is 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].



CRL OP(MD). No.7423 of 2024

f) If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-

22/05/2024

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22/05/2024

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

VRN
TO

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA (JM COURT LEVEL) COURT,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON,
DINDIGUL.

4 THE INSPECTOR OF POLICE,
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION, TRICHY DISTRICT.



CRL OP(MD). No.7423 of 2024

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-5553[I] dated 22/05/2024)

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ORDER

IN

CRL OP(MD) No.7423 of 2024

Date :22/05/2024

RS//SAR-(22.05.2024) 5P 8C

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