



Crl.O.P.(MD) No.7989 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.05.2024

PRESENT

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD) No.7989 of 2024

Manivannan

... Petitioner/ Accused No.1

Vs.

State represented by
The Inspector of Police,
All Women Police Station,
Thiruvidadaimarudhur,
Thanjavur District.
(Crime No.7 of 2024)

... Respondent/Complainant

For Petitioner : Mrs.S.Prabha, Advocate

For Respondent : Mr.SS.Madhavan
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL under Section 438 of Cr.P.C.

PRAYER :- For Anticipatory Bail in Crime No.7 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 354, 506(ii), 416 & 417 of



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I.P.C., in Crime No.7 of 2024, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner and the de facto complainant loved each other and that there was a relationship between them. Thereafter, the petitioner did not contact the de facto complainant. Therefore, the de facto complainant took her parents to the petitioner's house, which resulted in their engagement. Thereafter, the petitioner was refusing to marry the de facto complainant. Therefore, on 15.05.2024, at about 10.00 am., the de facto complainant went to the petitioner's house, where, there was a quarrel between the de facto complainant and A2, the brother of the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and that a false case has been foisted against the petitioner. He would further submit that the engagement held between the petitioner and the de facto complainant was refused by the petitioner's parents and therefore, due to the vengeance, the de facto complainant had lodged the false complaint before the respondent police. Hence, he would seek anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner and the de facto complainant had



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loved each other and thereafter, the petitioner has refused to marry the de facto complainant and therefore, the de facto complainant has gone to the petitioner's house on 15.05.2024, where, the said quarrel has happened between the parties.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of his 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 District Munsif cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur District, on condition that the petitioner shall 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 conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar Card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.



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[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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].

[f] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A of IPC.

sd/-
30/05/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUDHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

<https://www.mhc.tn.gov.in/judis>



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3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVIDAIMARUDHUR,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.7989 of 2024
Date :30/05/2024

SA/GS/SAR. /04.06.2024/5P/5C

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