

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Principal Sessions Judge, Dindigul.**

Friday, the 13th day of August 2021

CrI.M.P. No.2532/2021
CNR No.TNDG01-003795-2021

Kulanthaivelu, 45/2021

S/o. Nallan

.. Petitioner/Accused

/vs/

State through

Inspector of Police, Guzhiliamparai PS.

Cr. No. 596/2021

.. Respondent/Complainant

This bail petition is coming on this day for hearing before me in the presence of Thiru.A.Tamil Alagan, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition U/s. 438 of Cr.P.C. petitioner/accused prays to grant him anticipatory bail for the offences punishable U/S. 294(b), 323, 506(ii) IPC r/w. Section 4 of TNPHW Act in Cr.No.596/2021 of respondent police. The occurrence took place on 06.08.2021.

The learned counsel for the petitioner/accused stated that the petitioner and the defacto complainant are close relatives, that there existed land dispute between them, due to that enmity, in order to take revenge, the defacto complainant has foisted this false complaint against the petitioner with false allegations, that the petitioner is noway connected with the alleged occurrence, that he has not committed any offence as alleged by the prosecution, that the injured was discharged from the hospital, that he has no previous case, that the petitioner is a law abiding citizen and he has permanent abode, hence there is no chance for absconding, that the petitioner apprehends for arrest and he prays for anticipatory bail.

The learned Public Prosecutor for the State vehemently raised objection for anticipatory bail stating that in continuation of wordy quarrel between the defacto complainant and the accused with regard to land dispute, on 06.08.2021, with an intent to outrage her modesty, the accused abused the defacto complainant in filthy language, attacked her with hands and threatened him with dire consequences hence the case. However, he has conceded that injured was discharged from the hospital and no previous case is pending.

.2.

Online submission of either side heard. Records perused. Considering the facts that injured was already been discharged from the hospital and no previous case is pending as stated by the learned Public Prosecutor, that except the offences u/s. 506(ii) IPC. and Section 4 of TNPHW Act other offences are bailable in nature and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioner/ accused with condition. Anticipatory Bail is granted to the petitioner/ accused on strict compliance of the following conditions.

1. The petitioner/ accused shall in the event of arrest by the respondent police or his surrender before the learned Additional District Munsif -cum-Judicial Magistrate, Veda sandur within 15 days from the date of this order, be released on bail on executing his own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Veda sandur.
2. The petitioner/ accused is directed to appear and sign before the respondent police station daily at 10.00 a.m. for the continuous period of 30 days.
3. The petitioner/ accused shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
4. The petitioner/ accused shall make himself available for interrogation by the police officer as and when required.
5. The petitioner/ accused shall not tamper with evidence or witness either during investigation or trial.
6. The petitioner/ accused shall not abscond either during investigation or trial.
7. The petitioner/ accused shall not leave the town without prior permission of the court.

Pronounced by me, this the 13th day of August 2021.

**Principal Sessions Judge,
Dindigul**

- Since this order is electronically generated, and issued with digital Signature.
- This order is available in E-Courts Official Web Site,
" <https://districts.ecourts.gov.in/case status/case number>"

Copy to

The Additional District Munsif-Cum-Judicial Magistrate, Veda sandur
The Public Prosecutor, Dindigul.

The Inspector of Police, Guzhiliamparai PS.,

To ensure social distancing, they are requested to
download the order from the official web site link.

Thiru.A.Tamil Alagan Advocate
for the petitioners.