



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

Friday, the Twentieth day of December Two Thousand Thirteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.23120 of 2013

KUMAR

... PETITIONER/ ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION
KANYAKUMARI DIST, CR.NO.804/2013

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.D.CHRISTENSON JUGUNU Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

There are totally two accused in this case. The petitioner, who is arrayed as A1 in Crime No.804 of 2013, on the file of the respondent police, apprehending arrest at the hands of the respondent police for the alleged commission of offences, said to have been committed on 15.12.2013, punishable under Sections 341, 294(b), 324, 506(ii) and 379 I.P.C., and Section 4 of Prevention of Women Harassment Act, seeks anticipatory bail.

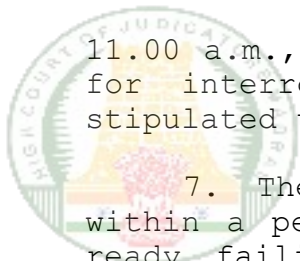
2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused had wrongfully restrained the de facto complainant and abused him by using filthy languages and attacked him.

3. Learned counsel appearing for the petitioner would submit that the petitioner is falsely implicated in this case and he is nothing to do with the alleged commission of offence. Further, A2 was arrested and enlarged on bail.

4. Learned Government Advocate (Crl. Side) would submit that the injured was discharged from the hospital and the petitioner is not having any bad antecedent.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the State and also perused the entire materials available on record.

6. Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.I, Kuzhithurai, and on executing a personal bond for a sum of Rs.10,000/- (Ten thousand and only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at



11.00 a.m., for a period of three weeks, thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail would stand dismissed.

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sd/-
20/12/2013

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,ZUZHITHURAI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

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

4.THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION KANYAKUMARI DIST.

+1. CC to M/S.D.CHRISTENSON JUGUNU Advocate SR.No.64102

ORDER
IN
CRL OP(MD) No.23120 of 2013
Date :20/12/2013

rg.26.12.2013

2p/6c.