



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

Friday, the Twenty First day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16106 of 2015

ARUN STALIN

... PETITIONER/4TH ACCUSED

Vs

THE INSPECTOR OF POLICE
ERANIAL POLICE STATION,
ERANIAL,
KANYAKUMARI DISTRICT.
(CRIME NO. 569 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.SUDALAIYANDI Advocate

For Respondent : M/S.S.PRBAHA, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 452, 294(b), 323, 379 and 506(ii) of I.P.C., and Section 3 of TNPPDL Act and Section 4 of Women Harassment Act, in Crime No.569 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, the accused have made adverse comments against her brother-in-law, who is mentally retarded person and the same was questioned by her husband and due to that vengeance, on 19.07.2015, the accused have trespassed into the house of the de-facto complainant and damaged the articles worth about Rs.1,10,000/- and taken away cell-phone and also abused her in filthy language.

3.The learned counsel for the petitioner submitted that A1 and A3 were already arrested and released on bail and even as per the averments made in the complaint, the first accused have taken away the chain of the de-facto complainant and she was attacked by the second accused. The learned counsel further submitted that petitioners without prejudice to the right and contention are ready and willing to deposit a sum of Rs.30,000/- to the credit of Crime No.569 of 2015 on the file of Jurisdictional Magistrate, Eraniel, Kanyakumari District.



4.The learned Government Advocate (Crl.side) submitted that the petitioner has no bad antecedent.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Eraniel, Kanyakumari District and on executing 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 condition that the petitioner shall deposit a sum of Rs.30,000/- to the credit of Crime No.569 of 2015 on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District and on further condition that the petitioner appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the condition 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 stands dismissed.

8.On such deposit, the learned Judicial Magistrate shall disburse the amount to the de-facto complainant.

sd/-

21/08/2015

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

TO

1.THE JUDICIAL MAGISTRATE, ERANIEL, KANYAKUMARI DISTRICT

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE

KANYAKUMARI DISTRICT AT NAGERCOIL

3.THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4.THE INSPECTOR OF POLICE ERANIAL POLICE STATION,

ERANIAL, KANYAKUMARI DISTRICT.

+1. CC to M/S.K.SUDALAIYANDI Advocate SR.No.48349

RL/6 C- 24/8/2015

ORDER

IN

CRL OP(MD) No.16106 of 2015

Date :21/08/2015