



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

Friday, the Thirtieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20894 of 2015

BIJU

... PETITIONER / ACCUSED NO.2

Vs

STATE OF TAMIL NADU
THE INSPECTOR OF POLICE
KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 125/2010)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.SARAVANAN Advocate
For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

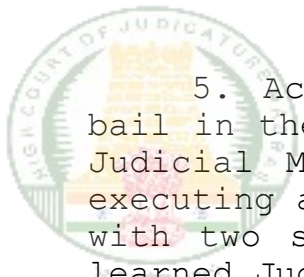
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, in Crime No.125 of 2010 on the file of the respondent apprehends in pursuant to the warrant issued by the learned Assistant Sessions Judge, Padmanabhapuram, Kanyakumari District in S.C.No.58 of 2014 and hence, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that the petitioner's father has fallen ill in the month of October 2013 and subsequently, he also died on 13.11.2013. It is further contended that the petitioner was also affected by Paralytic disorder from the month of December 2013 and his mother alone was taking care of him and on 18.04.2014, his mother passed away. Due to calamity occurred in the family, the petitioner could not able to appear before the trial Court. The learned counsel further submitted that the petitioner undertakes to appear before the trial Court for all hearing dates without fail.

3.The learned Government Advocate (Crl.side) would submit that the respondent has completed the investigation and laid charge sheet in S.C.No.58 of 2014.

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



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Padmanabhapuram, 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 Judge concerned and on further condition that the petitioner shall appear before the trial Court for all hearing dates without fail, except on those days by filing a petition under Section 317 of Cr.P.C, by assigning valid reasons. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Judge 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.

sd/-
30/10/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, PADMANABHAPURAM, 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
KULASEKARAM POLICE STATION, KANYAKUMARI DISTRICT.

+1. CC to M/S.R.J.KARTHICK, Advocate SR.No.64091
RL/6C - 2/11/2015

ORDER
IN
CRL OP(MD) No.20894 of 2015
Date :30/10/2015