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

Monday, the Thirtieth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22614 of 2015

ARUMA JEBATHURAI ... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY ITS
THE INSPECTOR OF POLICE
BHOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO.373 OF 2015. ... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.J.KARTHICK Advocate

For Respondent : MR.P.KANNIDEVAN, Government 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 sole accused in Crime No.373 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(i) of I.P.C and Section 4 of Tamil Nadu Harassment of Women Act, 2002 and hence, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a practising advocate in Bhoothapandi Court and she has filed a case for one Sathiya and the said Sathiya informed that the petitioner abused the defacto complainant in filthy language and asked as to why she has given the case to the defacto complainant. Further, on 23.11.2015 at about 11.30 a.m., when the defacto complainant was standing near Boothapandi Court, the petitioner abused the defacto complainant in filthy language.

3. The case of the petitioner is that the petitioner and the defacto complainant's senior namely Mr.Palani were in good relationship with each other and the petitioner had entrusted three cases to the said Palani. Subsequently, misunderstanding arose between them. Hence, the petitioner asked for change of vakalat from him. But, only after giving complaint to the Bar Association, the said Palani handed over the bundles to the petitioner. In view of the misunderstanding, a false complaint has been given against the petitioner.

4. The learned Government Advocate(Crl. Side) on instructions submits that the petitioner abused the defacto complainant in filthy language. He further submitted that the investigation is pending in this case.

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5. From the materials it is seen that there is some misunderstanding between the petitioner and the defacto complainant's senior Mr.Palani. Considering the above said fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Bhoothapandi and on his 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 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.

6.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.

sd/-
30/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE ,BHOOTHAPANDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE, BHOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT,

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

+1. CC to M/S R.J.KARTHICK, Advocate SR.No.68248

CSL/PM/SAR-I/02.12.2015/2P/6C

ORDER
IN
CRL OP(MD) No.22614 of 2015
Date :30/11/2015

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