



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

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.8288 of 2015

G.CHRISTHUDHAS

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

PALUGAL POLICE STATION, KANYAKUMARI DIST.

CRIME NO. 64/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

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

For Intervenor : MR.S.RAMAKRISHNAN, ADVOCATE

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

ORDER : The Court Made the following order :-

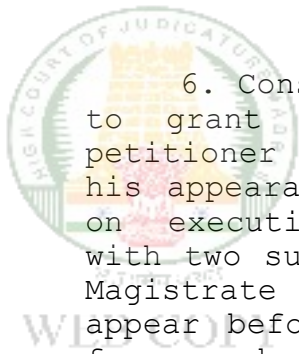
The petitioner who is the sole accused, apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 341, 294(b), 323, 379, and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.64 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that on 30.03.2015 at 4.30 p.m., when the de facto complainant was proceeded to her house, the petitioner had waylaid her and scolded her in filthy language and also snatched the 10 sovereigns of gold chain.

3. The learned counsel for the petitioner submitted that the de facto complainant is none other than the wife of this petitioner and she has filed more than seven cases against this petitioner from 2011 onwards, including this case. While so this case is filed with malafide intention.

4. Mr.S. Ramakrishnan, the learned counsel for the intervenor vehemently opposed the petition stating that the petitioner is living with the second wife deserting the de facto complainant and that the petitioner waylaid her and also snatched her chain.

5. The learned Government Advocate (Crl. Side) would submit that on the date of occurrence, the petitioner has attacked the de facto complainant with hands and also taken away her 10 Sovereigns of gold jewels.



6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Kuzhithurai 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 appear before the respondent police daily at 10.00 am for a period of four weeks and thereafter, as when required for interrogation. 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.

sd/-
29/04/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,KUZHITHURAI.

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

3.THE INSPECTOR OF POLICE
PALUGAL POLICE STATION, KANYAKUMARI DIST.

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

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.23861

+1cc to MR.S.RAMAKRISHNAN, ADVOCATE IN SR NO. 23582

ORDER
IN
CRL OP(MD) No.8288 of 2015
Date :29/04/2015

SR/AMF : 05.05.2015 : 2P/7C