



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

Wednesday, the Sixth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9970 of 2016

BRITTO

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
STATE OF TAMIL NADU, KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.
CR.NO. 188 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.K.M.APPAJI Advocate

For Respondent : MR.P.Kannithevan, 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 sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353 IPC and Section 4 of Women Harassment Act, in Crime No.188 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner prevented the de facto complainant from discharging her duty as saleswoman in the Fishermen Co-operative Society. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is the President of the Fishermen



Co-operative Society and the de facto complainant is working as saleswoman in the said Society. The society invited applications from new members after passing a resolution. The de facto has acted against the petitioner in the election. Due to that motive, a false complaint has been given.

4.The learned Government Advocate (Criminal side) submitted that investigation is pending.

5.Considering the facts and circumstances of the case, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Eraniel, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid



down by the Hon'ble Supreme Court in **P.K.Shaji vs.**

State of Kerala [(2005)AIR SCW 5560].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
06/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ERANIAL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI
- 3 THE INSPECTOR OF POLICE,
STATE OF TAMIL NADU, KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE GOVERNMENT ADVOCATE
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S C.K.M.APPAJI Advocate SR.No.35186

SMN

JAM/12.07.2016/SKS-RR/SARII/ 3P-6C

ORDER
IN
CRL OP(MD) No.9970 of 2016
Date :06/07/2016