



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

Tuesday, the Nineteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.12166 of 2017

KARPAGAVALLI

... PETITIONER /2nd ACCUSED

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
KALLAL POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO.166 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MR.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

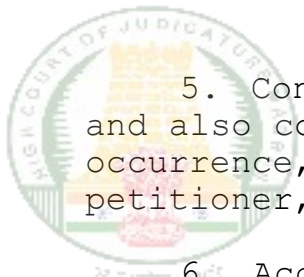
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) & 506(i) of IPC., in Crime No.166 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that due to the family dispute between the de-facto complainant and the accused the petitioner is said to have abused the de facto complainant in filthy language and also his wife and threatened them with dire consequences.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and originally, the de facto complainant alone has developed quarrel against the petitioner on the date of occurrence, whereas, in order to harass the petitioner, the de-facto complainant lodged a false complaint against the petitioner. He would further submit that the petitioner has never involved with the alleged offence and she is an innocent person.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally two named accused in this case and the petitioner herein is arrayed as A2. He would further submit that A1 is still absconding and no one sustained injury in the occurrence and the investigation is still pending.



5. Considering the above facts and circumstances of the case and also considering the fact that no one is sustained injury in the occurrence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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, Karaikudi, 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 the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall report before respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required, for interrogation. The petitioner shall comply with the conditions 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

19/09/2017

/ TRUE COPY /

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

VSA

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE
KALLAL POLICE SIVAGANGAI DISTRICT.

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

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.31001

GJM/RR/BS/SAR-I-22.9.17-2P-6C

ORDER

IN

CRL OP(MD) No.12166 of 2017

Date :19/09/2017