



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

Thursday, the Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13495 of 2017

ANISH

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
MARTHANDAM,
KANYAKUMARI DISTRICT,
(CRIME NO. 422 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.GEORGE PAUL ANTO, Advocate

For Respondent : M/S.K.ANBARASAN, Govt. Advocate (Crl. Side)

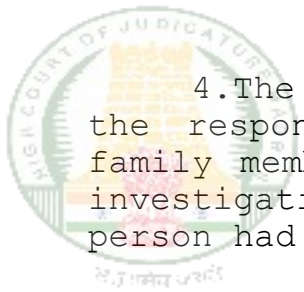
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 alleged offences punishable under Sections 294(b), 324 and 506(ii) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.422 of 2017, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 24.09.2017, the de-facto complainant and his wife were abused and attacked by the petitioner due to previous enmity. Aggrieved by the illegal action of the petitioner, the de-facto complainant lodged a complaint against the petitioner before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity between the petitioner and the de-facto complainant, de-facto complainant and his family members attacked the petitioner and he sustained grievous injury and undergoing medical treatment in Government Hospital, Aasari Pallam, Kanyakumari District, for which, the petitioner has also given a complaint against the de-facto complainant and his family members in Reference No.RRA1751129, dated 29.09.2017.



4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the de-facto complainant and his family members were abused and attacked by the petitioner and the investigation is in progress. He further submitted that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate (Criminal side) that the injured person had already been discharged from the hospital, I am 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 on which the order copy is made ready, before the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of three weeks and thereafter as and when required;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioner shall not commit any offence while on bail;
- (v) 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 and the bail granted stands cancelled automatically.

sd/-
05/10/2017

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.I, KUZHITHURAI,
KANYAKUMARI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
MARTHANDAM, KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.GEORGE PAUL ANTO Advocate SR.No.32183

ORDER

IN

CRL OP (MD) No.13495 of 2017

Date : 05/10/2017

MS/CM-MSA/SAR.1/06.10.2017/3P.6C