



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

Tuesday, the Thirty First day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14667 of 2017

SANTHOSH

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
NITHIRAILAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 260 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SEEMARAJ, Advocate for
M/S.K.KULANTHAI VIKRAM, Advocate

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

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

ORDER : The Court Made the following order :-

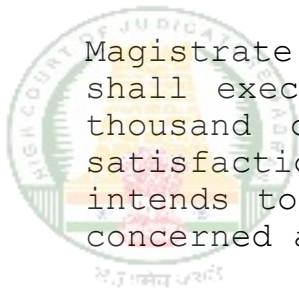
The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) of IPC, in Crime No.260 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that due to the previous enmity between the petitioner and the defacto complainant, on 15.09.2017 the petitioner threatened the defacto complainant and abused with filthy language. Hence, the defacto complainant lodged a complaint against the petitioner before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he did not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the investigation is pending.

6. Considering the facts and circumstances of the case and also considering the fact that, 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 of receipt of a copy of this order, before the learned Judicial



Magistrate Court, Kuzhithurai, 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 two weeks;
- (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 anticipatory bail granted stands cancelled automatically.

sd/-
31/10/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KUZHITHURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
NITHIRAILAI POLICE STATION, KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.KULANTHAI VIKRAM Advocate SR.No.33563

ORDER
IN
CRL OP(MD) No.14667 of 2017
Date :31/10/2017

MS/PM-PN/SAR.1/03.11.2017/2P.6C