



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

Monday, the Sixth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14810 of 2017

PRATHEESH

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOLLENCODE POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.252 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.R.SREENIVASAN 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 :-

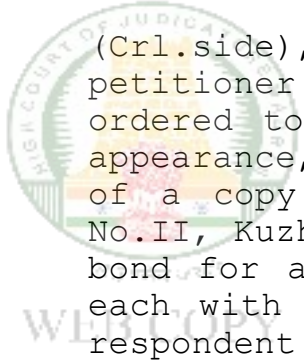
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(i) and 120(B) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.252 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that defacto complainant is the wife of the petitioner. On 18.08.2017, the petitioner attacked the defacto complainant and thereby, the defacto complainant sustained injuries and admitted in the hospital. 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 has not committed any offence as alleged by the prosecution. He further submitted that the dispute has been compromised between the parties.

4. The learned Government Advocate (Crl.side) appearing for the State that injured was discharged from the hospital and investigation has also been completed.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side), 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 No.II, Kuzhithurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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, as and when required for interrogation;

(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) 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/-
06/11/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.R.SREENIVASAN Advocate SR.No.33892

ORDER IN
CRL OP(MD) No.14810 of 2017
Date :06/11/2017