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

Monday, the Fourth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16461 of 2017

PETER @ SELVAPETER ... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ANJUGRAMAM POLICE STATION, ANJUGRAMAM,
KANYAKUMARI DISTRICT.
(CRIME NO.354 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.KARTHICK SUBRAMANIAN Advocate
For Respondent : MR.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 offence punishable under Section 294(b), and 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.354 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner is making phone calls to the daughter of the defacto complainant on every day and by using filthy language he has given torture to her to love him. Thereby the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) would submit that the petitioner frequently contacted the defacto complainant and his daughter and gave love torture to the defacto complainant's daughter.

5.Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate (Crl.Side) that the petitioner did not have any previous case, 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

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fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Nagercoil, 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 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 appear before the respondent police daily twice at 10.30 a.m. in the morning and at 5.30 p.m. in the evening before the Police Station, Susindaram, Kaniyakumari District, until further orders;

(ii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial;

(v) the petitioner shall not commit any offence while on bail;

(vi) 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/-
04/12/2017

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3 THE INSPECTOR OF POLICE,
ANJUGRAMAM POLICE STATION, ANJUGRAMAM, KANYAKUMARI DISTRICT.
4 THE INSPECTOR OF POLICE,
SUSINDARAM POLICE STATION, KANYAKUMARI DISTRICT.
5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.KARTHICK SUBRAMANIAN Advocate SR.No.35564

ORDER IN
CRL OP(MD) No.16461 of 2017
Date :04/12/2017

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