



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

Tuesday, the Fifth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16666 of 2017

KALEEL RAHUMAN

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
MANAVALAKURICHI POLICE STATION,
KANYAKUMARI DISTRICT.
CR NO. 269/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.RAMAMURTHY Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

For Intervenor : MR.V.H.P.PRATHAP Advocate

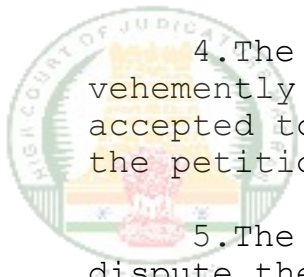
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 506(i) of I.P.C., in Crime No.269 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the neighbour of the defacto complainant. The defacto complainant is none other than the practising Advocate of the local bar. The petitioner came to his neighbouring house as a tenant. Thereafter, every day with drunken mood he used filthy language in his house. On the date of occurrence when the defacto complainant's father-in-law was died, the petitioner entered into a wordy quarrel with his wife with unbearable filthy language. When the same was questioned by the defacto complainant, the petitioner abused the defacto complainant by using filthy language. Accordingly, the defacto complainant lodged a complaint against the illegal act of the petitioner.

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 counsel for the intervenor/defacto complainant vehemently objected to entertain this petition. However, he accepted to grant anticipatory bail with stringent condition against the petitioner.

5.The learned Government Advocate (Criminal side) did not dispute the facts submitted by the Intervenor.

6.Considering the facts and circumstances of the case and also considering the submissions 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, Bhoothapandi, 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 at 10.30 a.m. for a period of four weeks before the Susindaram Police Station, thereafter as and when required for interrogation;
- (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/-
05/12/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, BHOOHAPANDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
SUSINDARAM POLICE STATION, KANYAKUMARI DISTRICT.

4 THE INSPECTOR OF POLICE,
MANAVALAKURICHI POLICE STATION, KANYAKUMARI DISTRICT.

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

+2. CC to M/S.K.RAMAMURTHY Advocate SR.No.35676, 35573

ORDER

IN

CRL OP(MD) No.16666 of 2017

Date :05/12/2017

MKV-CM-VR-SAR 1/11.12.2017/3P-8C