



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

Thursday, the Fourteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17179 of 2017

PRABHU

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SOUTH THAMARAikulam POLICE STATION,
KANYAKUMARI DISTRICT.
CR NO. 244/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU Advocate

For Respondent : MR.M.MURUGAN, Government Advocate for
MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

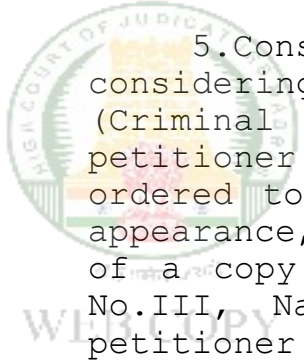
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 448 and 506(ii) of I.P.C., and Sections 3(1) of Prevention of Damage to Public Property Act, 1984, in Crime No.244 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are close relatives. On 24.11.2017, the petitioner parked his two wheelers bearing Registration No.TN-75-Q-1055 in front of the defacto complainant's house. When the same was questioned by the defacto complainant, the petitioner pelted the stones on the house of the defacto complainant and due to which, his window glass was broken. Hence, the defacto complainant lodged a complaint before the respondent police.

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

4.The learned Government Advocate (Criminal side) appearing for the State submitted that no one sustained injury in the alleged occurrence.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal 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.III, Nagercoil, Kanyakumari District, 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, daily at 10.30 p.m., for a period of two weeks, and thereafter, 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 make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(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/-

14/12/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.SURESHKUMAR Advocate SR.No.36209

ORDER IN
CRL OP(MD) No.17179 of 2017
Date :14/12/2017