



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

Thursday, the Twenty First day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17692 of 2017

P.SURESH

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.181 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.PALANI VELAYUTHAM 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 :-

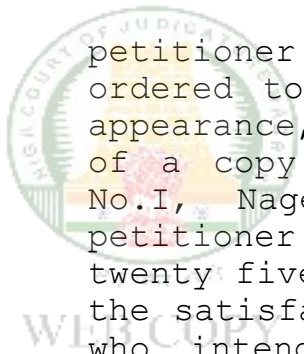
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.181 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a family dispute between the petitioner and his wife. Thereupon, the defacto complainant and his wife went to the petitioner's house and tried to pacify them. Thereby, the petitioner attacked the defacto complainant and his wife. Hence, the defacto complainant lodged a complaint against the petitioner for the above said offences.

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 the injured was discharged from the hospital.

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.I, 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 a.m., until further orders;
- (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/-

21/12/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.PALANI VELAYUTHAM Advocate SR.No.36722

ORDER IN
CRL OP(MD) No.17692 of 2017
Date :21/12/2017