



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

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.17750 of 2017

KANAGARAJ,

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
SHENKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT,
CR.NO.434 OF 2017

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : MR.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/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC, in Crime No.434 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that regarding the right to take water for irrigation to their land from the nearby Kundarttu River, there was a dispute between the petitioner and other farmers in that area. On suspecting that as if the defacto complainant was the cause of the dispute, the petitioner abused her using filthy language and threatened her with dire consequences and threw a wooden log on her. Based on the complaint, a case has been registered for the above said offences.

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



4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that no one sustained injury and investigation is still pending.

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, Tenkasai, Tirunelveli District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) 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 report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of one week and thereafter as and when required;

(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 commit any offence while on bail;

(iv) 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/-
22/12/2017

/ TRUE COPY /

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



PJT
TO

1 THE JUDICIAL MAGISTRATE TENKASI, TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
SHENKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.

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

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No.37002

GJM/CM/SAR-3-27.12.2017-3P-6C

ORDER

IN

CRL OP(MD) No.17750 of 2017

Date :22/12/2017