



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

Tuesday, the Twenty First day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1839 of 2017

PRATHEESH

... PETITIONER/SOLE ACCUSED

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO. 55/17

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. S.J.CHAKKARAVARTHY Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

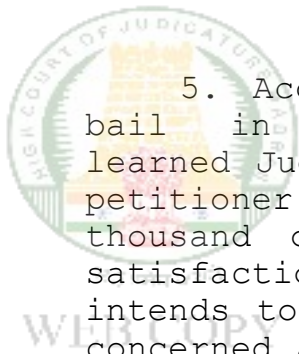
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) of IPC., in Crime No.55 of 2017, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner states that there are civil disputes between the petitioner and the defacto complainant regarding ancestral property and due to which, the defacto complainant and others have attacked the petitioner severely and the petitioner has not committed any offence, as alleged by the prosecution and the petitioner is an innocent and he has not involved in this case.

3. The learned Government Advocate (crl.side) appearing for the respondent states that the petitioner is the sole accused in this case and due to family dispute the petitioner attacked the defacto complainant's husband with knife and also the father of the defacto complainant and caused injuries. The occurrence took place on 12.02.2017 and the injured were discharged from the hospital only on 20.02.2017.

4. Considering the above facts and circumstances of the case and also considering the fact that the injured were discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Padmanadhapuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall report before the respondent daily at 10.30 a.m., until further orders, for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANADHAPURAM, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
KULASEKARAM POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. S.J.CHAKKARAVARTHY Advocate SR.No.9402
MPK
CSL/PM-PN/SAR-II/22.02.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.1839 of 2017
Date :21/02/2017