



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

Friday, the Twenty Fourth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3441 of 2017

PATHROSE

... PETITIONER/ACCUSED NO.I

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO. 240/2010

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.RUSSEL RAJ Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

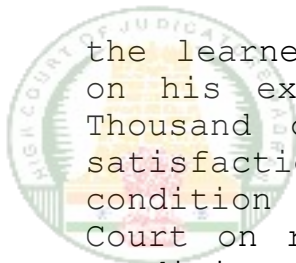
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-1, in Crime No.240 of 2010 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 147, 148, 447, 323, 427 & 506(ii) of I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3. The learned Government Advocate(Crl. Side) on instructions submitted that due to civil dispute, the petitioner along with other accused trespassed into the property of the defacto complainant and attacked him with hands and caused damage to the iron gate. She further submitted that in this case, investigation was completed and charge sheet was filed before the learned Judicial Magistrate concerned.

4. Considering the facts and circumstances of the case and also considering the fact that investigation was completed and charge sheet was filed before the learned Magistrate concerned, this Court is 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 before



the learned Judicial Magistrate, Eraniel, Kanyakumari District and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the concerned Court on receipt of summons. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
24/03/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.RUSSEL RAJ Advocate SR.No.18577

PM
GJM/CM-MSA/SAR-II/28.03.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.3441 of 2017
Date :24/03/2017