



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5095 of 2018

T. SUDHARSAN

... PETITIONER/ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
NESAMONY NAGAR POLICE STATION,
KANYAKUMARI DISTRICT,
IN CRIME NO.78/2018

... RESPONDENT / COMPLAINANT

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

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

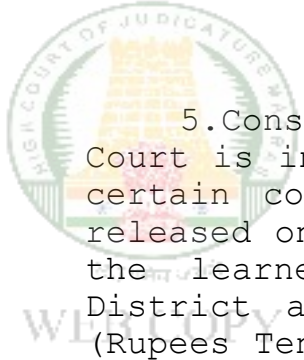
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 447, 294(b), 323, 427, 506(ii) of IPC and Section 4 of TN Prohibition of harassment of Women Act 2002, in Crime No.78 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.03.2018, the accused No.1 to 3 in a drunken mood went to the defacto complainant's house to solicit for the 2nd accused's marriage and enquired whereabouts of her husband. The petitioner is shown as A2 in the FIR. The allegation against him is that he showed a knife at the defacto complainant and damaged a window with brick.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any of the offences as alleged by the prosecution. The marriage of the petitioner has to be solemnized on 04.04.2018. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation is still pending.



5.Considering the facts and circumstances of the case, 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 No.II, Nagercoil, Kaniyakumari District and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent as and when required. The petitioner shall comply with the conditions 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 shall stand dismissed.

sd/-
02/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
NAGERCOIL, KANIYAKUMARI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
NESAMONY NAGAR POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.R.ANBARASU Advocate SR.No.5207

ORDER
IN
CRL OP(MD) No.5095 of 2018
Date :02/04/2018

SMA/RR-CSL/SAR-4/09.04.2018:2P/6c