



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7518 of 2018

MANOJ

... PETITIONER/ RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
NESAMANI NAGAR POLICE STATION,
KANYAKUMARI DISTRICT.
IN CRIME NO. 521 OF 2017

... RESPONDENT / COMPLAINANT

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

For Respondent : M/S.M.ASOKAN, 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 offence punishable under Sections 294(b) & 506(i) I.P.C., and Section 4 of TNPHW Act in Crime No.521 of 2017, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, ie.,20.11.2017, at about 12:30 p.m., when the de-facto complainant was proceeding to her house, the petitioner abused her using filthy language and threatened her.

3.The learned counsel for the petitioners submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent Police seriously objected the same.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Eraniel, Kanyakumari District, 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 ~~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:~~



[a]the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d]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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560).

sd/-
03/05/2018

/ 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,
NESAMANI NAGAR 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.8185

ORDER
IN
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Date :03/05/2018

MS/CM-VR/GSR/04.05.2018/2P.6C