



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

Wednesday, the Twenty Fourth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18868 of 2018

1 NAGARAJAN@RAJESH

2 THANGAPPAN

... PETITIONERS / ACCUSED Nos.1 & 2

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.394 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.R.RAJESH 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 :-

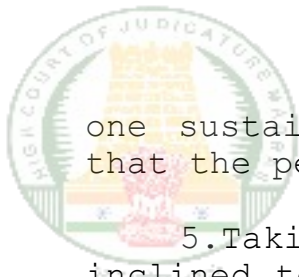
The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(ii) of I.P.C and Section 4 of Tamil Nadu Prohibition of Woman Harassment Act, 2002, in Crime No.394 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 15.10.2018, at about 3.30 p.m the de-facto complainant and her relatives were talking in front of her house. At that time the petitioners were came to the spot and they do not park their vehicle in front of his house and abused filthy language with dire consequences and attacked to the de-facto complainant's father. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the de-facto complainant doing AIADMK East District Woman Wing Joint Secretary in Kanyakumari District. Due to some previous enmity between them, the de-facto complainant influenced her power and foisted a false allegation as against the petitioners. Hence, he prays for anticipatory bail to the petitioners.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl. side) submitted that no



one sustained injury in that occurrence. He would further submit that the petitioners are having no previous case.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Padmanabapuram, Kanyakumari District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners 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 shall stand dismissed.

sd/-
24/10/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.RAJESH Advocate SR.No.20365

PS/JC/SAR-4:26/10/2018:2P/6C

ORDER
IN
CRL OP(MD) No.18868 of 2018
Date :24/10/2018