



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.18851 of 2018

1 XAVIER
2 DHARMARAJ

... PETITIONERS / ACCUSED - 1 AND 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANYAKUMARI DISTRICT.
CR NO.132 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : MR.K.RAJESHWARAN Advocate

For Respondent : MR.M.ASOKAN, Government Advocate (Crl.Side)

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

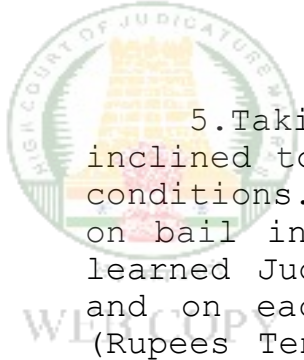
ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 451, 294(b), 341, 323, 427, 354 and 506(ii) of I.P.C., in Crime No.132 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to pathway dispute between the defacto complainant and her brother, the defacto complainant refused for mediation and hence, her brother got enmity with her and engaged the 2nd petitioner, who is the son in law of the 1st petitioner and entered into her home and abused her in filthy language and attacked her and also damaged the household articles. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the commission of offence as alleged by the prosecution.

<https://hcservices.ecourts.gov.in/hcservices/>
4.The learned Government Advocate (criminal side) submitted that no one is injured in this 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, Padmanabhapuram, Kanyakumari District, and on each of them 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,
PADMANABHAPURAM, KANYAKUMARI DISTRICT.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.RAJESHWARAN Advocate SR.No.20226

ORDER
IN
CRL OP (MD) No.18851 of 2018
Date : 24/10/2018

JM/PN/SAR 1/25.10.2018/2P/6C