



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

Monday, the Twenty Third day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.12337 of 2018

PRABHAHARAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SOUTH THAMARAikulam POLICE STATIN,
NAGERCOIL,
(CRIME NO.35 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.K.SUDALAIYANDI Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

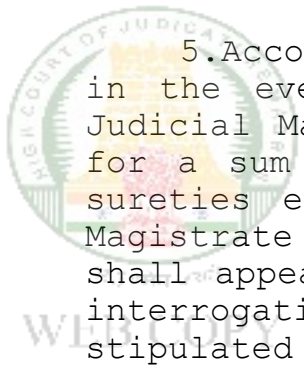
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 498A and 306 of I.P.C. and Section 4 of TNP Harassment of Women Act, 2002, in Crime No.35 of 2017, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

3.The petitioner's wife committed suicide by self immolation. There are two children, who are with the mother of the deceased. The petitioner undertakes to deposit a sum of Rs.5,000/- (Rupees Five Thousand Only)per month in the Bank account of the mother of the deceased.

4.Recording the said submission and in view of the fact that arresting the petitioner will not serve any purpose, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. If the undertaking is breached, the mother of the deceased can apply for cancellation of anticipatory bail. It is made clear that this will not standing in the way of the victim of the mother for seeking higher amount for the maintenance of the children before the competent Court. This is an interim arrangement.



5. 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.III, Nagercoil, 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 respondent police as and when required for interrogation. 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
23/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL
 - 2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.
 - 3 THE INSPECTOR OF POLICE
SOUTH THAMARAIKULAM POLICE STATIN, NAGERCOIL,
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.SUDALAIYANDI Advocate SR.No.13712

LS
GJM/CSL/SAR-2-30.7.18-2P-6C

ORDER
IN
CRL OP(MD) No.12337 of 2018
Date :23/07/2018