



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

Thursday, the Sixteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.7240 of 2019

YUVARAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO.260/2019

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.RAJESH, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner / sole accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.260 of 2019 on the file of the respondent police, seek anticipatory bail.

2.Heard Mr.R.Rajesh, learned counsel for the petitioners and Mr.A.Robinson, learned Government Advocate (Crl. Side) appearing for the State.

3.The case of the prosecution is that the defacto complainant is working as a Driver in TNSTC, Ranithottam Branch, Kanyakumari District. On 05.05.2019, at about 05.30 p.m., the petitioner abused the defacto complainant's father in filthy language and when the same was questioned by him, the petitioner assaulted the defacto complainant and his wife with iron rod. Hence, this complaint.

4.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to this



5. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy was made ready before the learned Judicial Magistrate No.I, Padmanabapuram, Kanyakumari District, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the respondent Police and on further conditions that:-

[a] the petitioner as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

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

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

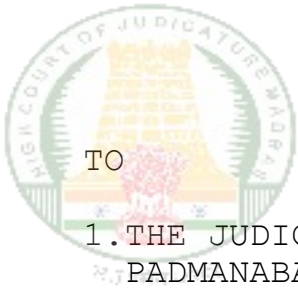
[d] the petitioner shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners abscond, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioner, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
16/05/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO. I,
PADMANABAPURAM

2. THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT 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.8681

ORDER

IN

CRL OP (MD) No.7240 of 2019

Date :16/05/2019

MYR

PK/JC/SAR-3/22.05.2019 : 3P/6C