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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2019

PRESENT

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

CRL OP(MD) . No.19214 of 2019

Nainar, ... Petitioner/Sole Accused

Vs

1. The State of Tamilnadu rep.by
The Deputy Superintendent of Police,
Nanguneri Division,
Tirunelveli District.

2. The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District,
Crime No.562/2019.

... Respondents/Complainants

3. Rathidevi, ... Respondent/Defacto Complainant

For Petitioner : M/s. C.K.M. Appaji,
Advocate.

For Respondents : Mr.A.Robinson,
Govt. Advocate (Crl.Side) for R1 & 2

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

PRAYER :-

For Anticipatory Bail in Cr.No.562 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondents 1 and 2.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 294(b), 427 and 506(i) of I.P.C., Section 4 of Tamilnadu Prohibition of Harassment



of Women Act and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.562 of 2019, on the file of the second respondent police, seeks anticipatory bail.

3. I went through the contents of the FIR. It is obvious that the petitioner is having a serious civil dispute with the defacto complainant herein. The third respondent has given a communal colour to the civil dispute with the petitioner herein. On a careful reading of the complaint, it appears to be malafide. Of course, this is only prima facie finding and it will not have any bearing on the investigation.

4. The custodial interrogation of the petitioner is not at all warranted. Hence, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned II Additional District Sessions Judge (PCR) Court, Tirunelveli, 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 Court 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.

5. The petitioner shall appear before the concerned Court 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/-
20/12/2019

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

TO

1. THE II ADDITIONAL DISTRICT SESSIONS JUDGE (PCR) COURT,
TIRUNELVELI.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
NANGUNERI DIVISION,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
KALAKKAD POLICE STATION,
TIRUNELVELI DISTRICT.



4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.K.M.APPAJI, Advocate (SR-22381[I] dated 20/12/2019)

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ORDER

IN

CRL OP(MD) No.19214 of 2019

Date :20/12/2019

IAS

AE/VR/SAR-IV (03.01.2020) 3P 6C