



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.275 of 2020

S.Nagakumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Aravaimozhi Police Station,
Aralvaimozhi, Kanyakumari District.
(Crime No.4/2020)

... Respondent/Complainant

For Petitioner : M/s.N.Pragalathan,
Advocate.

For Respondent : Mr.K.K.Ramakrishnana,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 4/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 447, 294(b), 323 and 506(ii) of I.P.C. and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.4 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The victim has alleged that the petitioner insisted her that she would marry him and that he also assaulted her. The petitioner's counsel on instructions states that the petitioner will take a demand draft for a sum of Rs.5,000/- favouring the victim and the petitioner will write out a hand written letter of apology addressed to the victim. In that apology letter which shall be unconditional. The petitioner will give an undertaking that he will not interfere with the life of the victim ever in future and enclose



the same along with surrender petition. The same shall be handed over to the victim through the respondent police. Of course, compliance of this direction and undertaking will not in any way prejudice to the petitioner's defence in the trial.

4. Subject to these conditions, 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 Judicial Magistrate, Boothapandi, Kanniyakumari District, 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.

5. 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/-

09/01/2020

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/ /2020

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

TO

1. THE JUDICIAL MAGISTRATE, BOOTHAPANDI,
KANNIYAKUMARI DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
 3. THE INSPECTOR OF POLICE, ARAVAIMOZHI POLICE STATION,
ARALVAIMOZHI, KANNIYAKUMARI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.N.PRAGALATHAN, Advocate (SR-562[I] dated 09/01/2020)

ORDER

IN

CRL OP(MD) No.275 of 2020

Date :09/01/2020

MS/VR/SAR-2/20.01.2020/2P.6C

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