



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2020

PRESENT

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

CRL OP(MD). No.892 of 2020

M.Anish

... Petitioner/Accused

Vs

The State Represented by
The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
(Crime No.9 of 2020).

... Respondent/Complainant

For Petitioner : M/s.J.Pandi Dorai,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

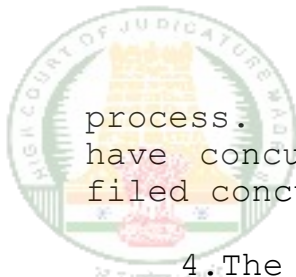
for Anticipatory Bail in Crime No.9 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 506(ii) of I.P.C., and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.9 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. Before the matter could be taken up for hearing, the petitioner's counsel submitted that the petitioner had erroneously moved the Sessions Court parallely. He, however, gives an undertaking that he would withdraw the said petition. The petitioner is cautioned that he should not indulge in such abuse of legal



process. It is true that the Sessions Court as well as High Court have concurrent jurisdiction. But then, the petitions cannot be filed concurrently.

4.The petitioner's counsel expresses his regret over the conduct of the petitioner. It is seen that the petitioner and the defacto complainant are having a civil dispute. The petitioner was also injured. The petitioner and the defacto complainant has since been discharged.

5. Taking note of all these aspects, 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 No.II, Kuzhithurai, Kanyakumari 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.

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/-
22/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE No.II, KUZHITHURAI.
2. THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
NITHIRAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.PANDI DORAI, Advocate (SR-1189[I] dated 23/01/2020)

ORDER IN
CRL OP(MD) No.892 of 2020
Date :22/01/2020

RMI

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