



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

Date : 28/01/2020

PRESENT

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

CRL OP(MD) . No.1355 of 2020

Josephraj

... Petitioner/Sole Accused

Vs

State Rep.by

The Inspector of Police,
Tharuvaikulam Police Station,
Tuticorin District
(In Crime No.6 of 2020).

... Respondent/Complainant

For Petitioner : M/s.V.Malaiyendran,
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.6 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 under sections 447, 294(b), 324 and 506(ii) of I.P.C., in Crime No.6 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. It appears that the defacto complainant had borrowed some amount from the petitioner and since it was not returned, the occurrence in question had taken place. The victim is still in hospital. He appears to have suffered some injury in his nose. The petitioner undertakes to take a demand draft for a sum of Rs.5,000/- favouring the victim and enclose the same along with the surrender petition. The demand draft will be handed over by the Court below to the victim through the respondent police. The petitioner agrees to



file an undertaking affidavit in which he will keep away from the victim. If the petitioner has to recover any amount from the victim, he will file a suit or initiate appropriate proceedings. In other words, the petitioner undertakes not to molest the victim any further. If this undertaking is breached, the petitioner will be dealt with appropriately. Of course, this is without prejudice to his defence in the trial.

4. Subject to the aforesaid undertakings, 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, Vilathikulam, 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/-
28/01/2020

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
THARUVAIKULAM POLICE STATION, TUTICORIN DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-1634 dated 28/01/2020)
ORDER IN
CRL OP(MD) No.1355 of 2020
Date :28/01/2020

IAS

<https://hccs.vsnl.net.in/htdocs/2020/2P/6C>