



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1666 of 2020

K.Anukumar

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.397 of 2019)

... Respondent/Complainant

For Petitioner : M/s.P.Rajkumar,
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.397 of 2019 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 294(b), 323 and 506(ii) of I.P.C., in Crime No.397 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner's actual name is Anukumar S/o.Kasamadan but in the FIR he has been described as Marimuthu @ Ajaikumar. The learned Government Advocate (Crl. Side) pointed out that the petitioner is having as many as 20 cases. Though the petitioner does not deserve grant of anticipatory bail considering his bad antecedents, since the case on hand appears to be rather petty in nature, I am inclined to grant relief.



4. The petitioner's counsel on instructions states that the petitioner will go to house of the defacto complainant and convey his apology in person. The petitioner will also file an affidavit before the Court below in which he will tender his unconditional apology and he will not involve himself in similar occurrence in future. The petitioner is directed to appear before the respondent police daily at 10.30 a.m., for a period of eight weeks. The petitioner's gives gives a further undertaking that he will not apply for modification or relaxation of this Condition.

5. 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, Cheranmahadevi, 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 daily at 10.30., for a period of one week and thereafter 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/-

31/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE, CHERANMAHADEVI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.RAJKUMAR, Advocate (SR-1977[I] dated 31/01/2020)

ORDER IN

CRL OP(MD) No.1666 of 2020

Date :31/01/2020