



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2020

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PRESENT

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

CRL OP(MD) . No.2059 of 2020

P.Mohaneeswaran,

... Petitioner/Accused

Vs

The State rep.by its
The Inspector of Police,
Palanichettypatti Police Station,
Theni District
(In Crime No.38 of 2020).

... Respondent/Complainant

For Petitioner : M/s.K.Neethimohan,
Advocate.

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

For Intervener : Mr.K.Prakash, Advocate

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

PRAYER :-

for Anticipatory Bail in Crime No.38 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the intervener 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) and 506(i) of I.P.C., in Crime No.38 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The defacto complainant in this case is a practising lawyer. He is having dispute with his sister. The petitioner is a relative. The petitioner is said to be supporting the defacto complainant's sister. Therefore, the petitioner is alleged to have harassed the defacto complainant by making unwanted phone calls.



4. The petitioner's counsel on instructions states that the petitioner has not done so and in any event he will not do so in future. He will file an undertaking affidavit at the time of surrender before the Court below. If this undertaking is breached, this Court will not hesitate to take action against the petitioner.

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5. Recording the petitioner's undertaking, 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, Theni 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/-

06/02/2020

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

TO

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

ORDER

IN

CRL OP(MD) No.2059 of 2020

Date :06/02/2020

IAS

AE/PN/SAR-II (12.02.2020) 2P 5C