



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

Date : 25/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3338 of 2020

S.Anusuya Thangam,

... Petitioner/Accused

Vs

The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District,Kanyakumari.
(Crime No.22 of 2020).

... Respondent/Complainant

For Petitioner : M/s.T.Lajapathi Roy,
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.22 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 174 of Cr.P.C., later it was altered into Section 306 of I.P.C., in Crime No.22 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The victim is said to have advanced a substantial sum of money to the petitioner herein. Since the petitioner did not return the same, the victim left with no other option committed suicide.

4.The learned counsel for the petitioner on instructions states that the petitioner will remit a sum of Rs.3,00,000/- (Rupees Three

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



Lakhs) to the credit of Crime No.22 of 2020 before the Judicial Magistrate No.I, Nagercoil, Kanyakumari District, within a period of four weeks from the date of receipt of a copy of this order. The refund of the said amount to the petitioner does not arise. The petitioner's liability is not in dispute. The quantum alone is the matter of dispute. The Judicial Magistrate will disburse the same in accordance with law on the conclusion of the trial.

5. Subject to this condition, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court No.I, Nagercoil, 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/-
25/02/2020

/ TRUE COPY /

/ /2020

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
NAGERCOIL, KANYAKUMARI DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT, KANYAKUMARI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-4048[I] dated 26/02/2020)

ORDER
IN
CRL OP(MD) No.3338 of 2020
Date :25/02/2020

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<https://hcsn.judiciary.gov.in/Services/Download/Download.aspx?DocId=3.03.2020> 2P 6C