



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/02/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.3590 of 2020

V.Martin Thanislas

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Karungal Police Station,
Kanayakumari District.
(Crime No.280 of 2019)

... Respondent/Complainant

For Petitioner : M/s.R.J.Karthick,
Advocate.

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

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

PRAYER :-

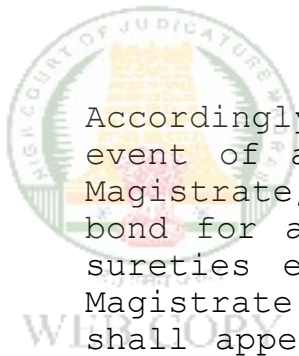
For Anticipatory Bail in crime No.280 of 2019 on the file of the Respondent Police.

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 147, 148, 452, 294 (b), 427 and 506(ii) of I.P.C., in Crime No.280 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. I went through the contents of the FIR. It appears that there is a civil dispute between the petitioner and the defacto complainant in respect of an immovable property. There are contrasting claims made by either parties. A civil suit has also been filed in this regard. FIR was registered on 15.07.2019. The occurrence is said to have taken place on 24.04.2019. Therefore, I am of the view that at this point of time arresting the petitioner is not going to serve any purpose. Hence, 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, Eraniel, 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.

4. 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/-
27/02/2020

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ERANIEL,
KANYAKUMARI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION, KANAYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-4369[I] dated 28/02/2020)

ORDER
IN
CRL OP(MD) No.3590 of 2020
Date :27/02/2020

MS/VR/SAR-4/04.03.2020/2P.6C