



WEB COPY

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

Date : 15/06/2020

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD.No.5742 of 2020)

Rajan,

- Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District
Crime No.18/2020.

- Respondent/Complainant

For Petitioner : M/s.A.Rajini,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER:-

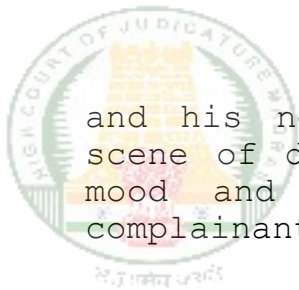
For Anticipatory Bail in Crime No.18 of 2020 on the file of the Respondent Police.

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 294(b), 342, 307, 506(ii) of I.P.C. and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.18 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that on 23.02.2020 around 3:30 p.m., a wordy quarrel arose between the de facto complainant
<https://hcservices.ecourts.gov.in/hcservices/>



and his neighbours and the accused voluntarily entered into the scene of dispute and abused the de facto complainant in a drunken mood and also attempted to physically assault the de facto complainant.

4. The learned Government Advocate(Crl. Side) submitted that the injured has been discharged from the hospital.

5. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

[a] Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Eranial, 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;

[b] The petitioner shall appear before the respondent police as and when required, for interrogation;

[c] The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously;

[d] On breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. 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/-
15/06/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE JUDICIAL MAGISTRATE,
ERANIAL, KANYAKUMARI DISTRICT.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL

3 THE INSPECTOR OF POLICE,
VELLICHANTHAI POLICE STATION,
KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5742 of 2020

Date :15/06/2020

sts

AE/PN/SAR-III (22.06.2020) 3P 5C