



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20077 of 2021

1. Samuel
2. Davidson

... Petitioners/Accused 1 & 2

Vs

The State rep by
The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
Cr.No. 270 of 2021.

... Respondent/Complainant

For Petitioners: Mr.S.P.Naveen Kumar,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.270 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) IPC, in Crime No.270 of 2021, seek anticipatory bail.

2.The case of the prosecution is that there was matrimonial dispute between the parties, the *defacto* complainant was abused in filthy language and assaulted with iron rod by the petitioners and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that there was matrimonial dispute between the husband and wife, that the *defacto* complainant was living separately at Kanyakumari District and that the injured was discharged from the hospital. Hence, prays to release them on anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured was discharged from the hospital and the investigation is not yet completed.

5.Reading of the FIR shows that there was matrimonial dispute between the husband and wife. Because of the dispute, on 03.07.2021, at about 08.00AM, when the *defacto* complainant was attending her regular work at her home, this petitioner alleged to have assaulted and abused her by filthy language.

6.Considering the facts and circumstances of this case, nature of dispute between the parties arose out of usual quarrel, suspicious activities of the petitioner, that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Iraniyal and on their executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
16/12/2021

/ TRUE COPY /

/ /2021

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

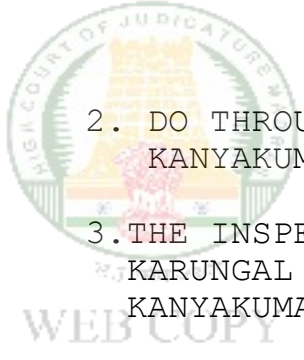
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant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

TO

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

1.THE JUDICIAL MAGISTRATE,
IRANIYAL.



2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

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

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

+1 CC to M/s.S.P.NAVEEN KUMAR, Advocate (SR-9412[I] dated
17/12/2021)

ORDER

IN

CRL OP (MD) No.20077 of 2021

Date : 16/12/2021

VB/CN/SAR-III/21.12.2021/3P/6C