



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1126 of 2022

Murugesan

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
(Crime No.35 of 2022).

... Respondent/Complainant

For Petitioner : M/s.P.R.Prithiviraj, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

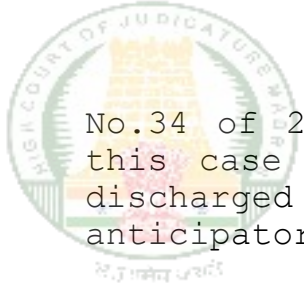
For Anticipatory Bail in Crime No.35 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 341, 323, 506(i) IPC, in Crime No.35 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that there was matrimonial dispute between the parties, on 15.01.2022, the petitioner went to the house of the *defacto* complainant and threatened & assaulted the *defacto* complainant and her grandchildren. Hence, the complaint.

3.The learned counsel for the petitioner would submit that only the *defacto* complainant seriously assaulted the petitioner and he was admitted in hospital. The petitioner gave the complaint in Crime



No.34 of 2022 against the *defacto* complainant and after that only this case was registered against the petitioner. The injured was discharged from the hospital. Hence, prays to release him on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioner, case was registered in Cr.No.34 of 2022 against the *defacto* complainant and in this case injured was discharged from the hospital.

5.Considering the matrimonial dispute between the parties, that the injured was discharged from the hospital and that the petitioner is not having any previous case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Eraniel and on their 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; the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Crime No.479 of 2021, before the Trial Court, within a period of two weeks from the date of receipt of the order copy and the petitioner 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 petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner 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/-
01/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

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.



1. THE JUDICIAL MAGISTRATE,
ERANIEL.

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

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

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

ORDER
IN
CRL OP (MD) No.1126 of 2022
Date :01/02/2022

SP/JM/SAR I/04/02/2022/3P/5C