



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 30/06/2022

WEB COPY

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD). No.10981 of 2022

Daniel ... Petitioner/Sole Accused

Vs

The State Rep. By,  
The Inspector of Police,  
Nagercoil Police Station,  
GRP, Trichy.  
Crime No.48 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Susi Kumar C,  
Advocate.

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.48 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 353 and 506(ii) of IPC, in Crime No.48 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a Gate Keeper at Sengulam Railway Station. On 13.06.2022 at about 20.45 hours, he closed the gate for passing train No.17236. While being so, the petitioner in a drunken mood, came in a two wheeler and quarreled with the defacto complainant to open the gate and threatened him with aruval and prevented him from discharging his duty. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has given an undertaking affidavit stating that he will not disturb the defacto complainant in future and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that no previous case is pending against the petitioner.

5. The petitioner has filed an undertaking affidavit stating that the petitioner realized his mistake and he will not disturb the defacto complainant and he will not indulge such type of activities in future, which has also produced before this Court.

6. Considering the facts and circumstance of the case and no bad antecedents reported against the petitioner and also undertaking affidavit given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Nagercoil, on condition that the petitioner shall execute 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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 stands dismissed.

sd/-  
30/06/2022

/ TRUE COPY /

/07/2022

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



TO

1. THE JUDICIAL MAGISTRATE NO.I,  
NAGERCOIL.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,  
NAGERCOIL POLICE STATION,  
GRP, TRICHY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.10981 of 2022  
Date :30/06/2022

vsg  
USK/JM/SAR-IV/07.07.2022/3P/5C