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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13546 of 2022

Rajesh @ Rajesh Kumar

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
(Crime No.159 of 2022)

... Respondent/Complainant

For Petitioner : M/S.P.Pandi Rani,
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.159 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 307 and 506(ii) of IPC, in Crime No.159 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is married with one Preethi. Due to some difference of opinion, they separated. On 19.07.2022, the defacto complainant came to visit his son, wherein this petitioner and others refused to show his son. Thereafter, at about 11.45 p.m., the defacto complainant along with his friend came to visit his son, at that time these petitioner and others said to have abused the defacto complainant in filthy language also attacked him and caused injurious to him. Hence, the



3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant and his friend tried to kidnap the petitioner's sister's son and in respect of which, FIR in Crime No.164 of 2022 has been registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that the dispute is between the husband and wife and also submitted that the injured has been discharged from the hospital.

5.Considering the facts and the circumstances of this case and also of the fact that it is a case in counter, the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.I, Kuzithurai, Kanniyakumari 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 the petitioners shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-

27/07/2022

/ TRUE COPY /

/08/2022

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 concerned.



TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUZITHURAI, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL

3 THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION, KANYAKUMARI DISTRICT

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

+1 CC to MR.C.SENTHIL MURUGAN, Advocate (SR-7829[I] dated
28/07/2022)

ORDER

IN

CRL OP(MD) No.13546 of 2022

Date :27/07/2022

TTA

MK/VR/SAR.III/02.08.2022/3P/6C