



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19868 of 2021

Albert @ Sahaya Albert,
Vs

...Petitioner/Accused No.1

The State Rep. by,
The Inspector of Police,
Boothapandy Police Station,
Boothapandy,
Kanniyakumari District.
(Crime No.334/2021).

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan, Advocate.

For Respondent : MR.SS.MADHAVAN,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.334 of 2021 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 341, 294(b), 323, 324, 307 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.334 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 16.08.2021 at about 09.00PM, when the *defacto* complainant and her husband were going to the Government Hospital, the accused persons waylaid them and assaulted the husband of *defacto* complainant with sickle and also caused criminal intimidation. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent, not committed any offence as alleged by the prosecution, that the injured was discharged from the hospital. hence, pray to release him on anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is not having any previous case at his credit and that the injured was discharged from the hospital.

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5.Considering the facts and circumstances of this case, that the nature of injury sustained by the injured person was simple in nature, that the injured was also discharged from the hospital and that the petitioner is not having any previous case at his credit, this Court is inclined to grant anticipatory bail to the petitioner with certain 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, Boothapandi, 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 petitioner shall appear before the respondent police daily at 10.30 am for a period of 30 days, 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/-

03/01/2022

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Sub-Assistant Registrar (C.S.)
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.

TO

1 THE JUDICIAL MAGISTRATE,
BOOTHAPANDI, KANNIYAKUMARI.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
BOOTHAPANDY POLICE STATION,
BOOTHAPANDY,
KANNIYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19868 of 2021
Date :03/01/2022

PKP/JC/SAR-1/06.01.2022/3P/5C