



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/06/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20694 of 2021

K.Dhaneshraj

... Petitioner/ Sole Accused

Vs

The State rep.by
The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
Cr.No.436/2021.

... Respondent/Complainant

For Petitioner : M/s.RAAMAKRISHNAN.Ka,
Advocate.
For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

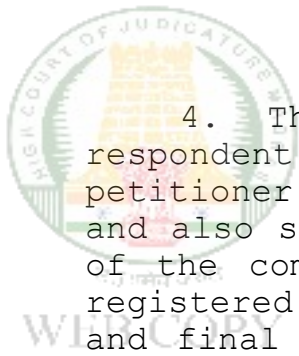
PRAYER :- For Anticipatory Bail in Crime No. 436 of 2021 on the file of the Respondent police.

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), 505(2) and 506(1) of I.P.C, in Crime No.436 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to the election motive, on 19.09.2021, at about 07.00 p.m, the petitioner along with other accused said to have trespassed into the house of the defacto complainant and abused her and her father in filthy language and also threatened them with dire consequence. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is working as Jawan in Indian Military. Now, he is working at 54th Bn.SSB, Bijni, Assam. Further, he has also expressed his regret before his superior for his action. It is dated 28.02.2022 and the same was produced before this court. He would further submit that if the petitioner sent to the judicial custody, there is every likelihood of losing his job. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that on the date of occurrence, the petitioner misbehaved indecently manner with the defacto complainant and also sent defamatory message through social media. On the basis of the complaint given by the defacto complainant, case has been registered. He further submitted that investigation is almost over and final report is going to be produced within short time after completing official formalities.

5. Considering the facts and circumstance of the case and also considering the fact that the investigation is almost over and the final report is going to be produced before the concerned Court, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Eraniel, Kanyakumari, Kanyakumari District, 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 shall appear on receipt of summons, if final report is filed.

7. 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 will stand dismissed.

sd/-

23/06/2022

/ TRUE COPY /

/07/2022

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

TO

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

+1. CC to M/S. RAAMAKRISHNAN.KA Advocate SR.No.6006

ORDER IN

CRL OP(MD) No.20694 of 2021
Date :23/06/2022

SA/PN/SAR.2/04.07.2022/2P/6C

<https://www.mhc.tn.gov.in/judis>