



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 02/02/2023

PRESENT

WEB COPY

**The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA**

**CRL OP(MD) . No.2140 of 2023**

Dennis ... Petitioner/Accused No.2

Vs

The State rep. by,  
The Inspector of Police,  
Koodankulam Police Station,  
Tirunelveli District.  
(Crime No.36 of 2023)

... Respondent/Complainant

For Petitioner : M/s.Kesavan.A,

For Respondent : Mr.M.Veeranthiran,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

For Anticipatory Bail in Crime No.36 of 2023 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(ii) of I.P.C., in Crime No.36 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant Pichaipazham, is that the accused gave a life threat to her by showing aruval. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and a false case has been foisted against him. He would further submit that even as per the FIR, the allegations are attributed only as against first accused and the petitioner has no previous. Hence, he would seek for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with A1 had



threatened the de-facto complainant by showing aruval and the petitioner is the person, who has handed over the aruval to A1 and hence, he would object for grant of anticipatory bail.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Radhapuram, Tirunelveli 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 06.30 p.m., for a period of two weeks and thereafter, on every Saturday at 06.30 p.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

02/02/2023

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/02/2023

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



TO

1 THE JUDICIAL MAGISTRATE,  
RADHAPURAM,  
TIRUNELVELI DISTRICT.

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
THIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,  
KODANKULAM POLICE STATION,  
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.KESAVAN.A Advocate SR.No.1864(I)

ORDER

IN

CRL OP(MD) No.2140 of 2023

Date :02/02/2023

NA/SAR-I/10.02.2023/3P/6C