



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07/03/2023

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD).No.3611 of 2023

Renold Dickson

... Petitioner/Sole Accused

Vs.

1.State represented by
The Inspector of Police,
Kadaiyalumoodu Police Station,
Kanyakumari District.
(Cr.No.41 of 2022)

... 1st Respondent/complainant

2.Sandhya

... 2nd Respondent/Defacto Complainant

For Petitioner : Mr.S.Sureshkumar
Advocate.

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.41 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who is the sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 452, 294(b), 324, 326, 506(ii) and 379 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, seeks anticipatory bail.

2.The case of the prosecution is that marriage between the petitioner and the 2nd respondent took place in the year 2013 and begotten a male child. Due to the matrimonial misunderstanding they are living separately for the past two years and cases are pending before the concerned Courts regarding matrimonial dispute. Recent days, she is living at Alancholai, in the house of her uncle's son. While so, on 20.10.2022 at about 8.00 a.m. the petitioner along with six others were said to be trespassed into her uncle's house, abused in filthy words, assaulted her with iron rod and caused injury and snatched her 8 sovereigns gold chain. When her cousin brother resisted, he was also assaulted with iron rod and caused grievous injury all over his body. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the investigation already completed and absconding charge sheet has also been filed.

5. Considering the facts and circumstances of the case, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Kuzhithurai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 twice i.e. at 10.00 a.m and 5.00 p.m. for a period of four weeks and thereafter as and when required for interrogation;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/03/2023

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/03/2023

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



TO

1 THE JUDICIAL MAGISTRATE NO.I
KUZHITHURAI.

WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL

3 THE INSPECTOR OF POLICE
KADAIYALUMOODU POLICE STATION,
KANNYAKUMARI DISTRICT.

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

ORDER

IN

CRL OP (MD) No.3611 of 2023

Date :07/03/2023

SS/BUC/SAR I/16/03/2023/3P/5C