



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

Date : 22.06.2023

PRESENT

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

CRL OP(MD)No.11217 of 2023

Justinraj

... Petitioner / Accused No.2

Vs

The State rep.by  
The Inspector of Police,  
Marthandam Police Station,  
Kanyakumari District.  
(Crime No.206 of 2023)

... Respondent / Complainant

For Petitioner : Mr.K.R.Narayanakumar, Advocate

For Respondent : 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.206 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 448, 294(b), 341, 323, 506(ii) IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.206 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working in a fancy store at Maruthancode. The accused persons used to give frequent trouble to the defacto complainant by insulting her. On 13.06.2023, the first accused trespassed into the store and compelled her to go along with him. However, she was saved by one Raveendran, who is hailing from very same locality. On the next day, the accused persons again trespassed into the store and made life threat by compelling her to go along with the first accused. Hence, the case.



3. Heard both sides and perused the materials available on record.

4. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

5. 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 No.I, 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 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 as and when required.

[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/-  
22/06/2023

/ TRUE COPY /

/07/2023

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



To

1.The Judicial Magistrate No.I,  
Kuzhithurai.

2.Do through the Chief Judicial Magistrate,  
Kanyakumari District at Nagercoil.

3.The Inspector of Police,  
Marthandam Police Station,  
Kanyakumari District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate ( SR-9498[I] dated  
23/06/2023 )

ORDER

IN

CRL OP(MD) No.11217 of 2023

Date :22/06/2023

ED/VS/SAR- (03/07/2023) 3P 6C