



CRL OP(MD). No.20017 of 2023

WEB COPY

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

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20017 of 2023

Kumar @ Sivakumar

... Petitioner/ Accused No.3

Vs

**The State, represented by
The Inspector of Police,
Kottar Police Station,
Kottar, Kanyakumari District.
(Crime No.252 of 2023).**

... Respondent/ Complainant

For Petitioner	: Mr.S.Palanivelayutham, Advocate.
For Respondent	: Mr.RMS.Sethuraman, Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.252 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.3, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 307, 506

(ii) of IPC and Section 4 of TNPHW Act, in Crime No.252 of 2023 on the file of the

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



CRL OP(MD). No.20017 of 2023

respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to enmity, the second accused at the instance of the first accused dashed by a car in the back of the car of the defacto complainant, in which, the husband of the defacto complainant sustained injuries. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that only on the basis of the confession statement of the co-accused, this petitioner has been implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that co-accused has been granted anticipatory bail by this Court, on 13.10.2023.

5. Considering the facts and circumstances of this case and also considering that the co-accused has been granted anticipatory bail, 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 No.II, Nagercoil, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



CRL OP(MD). No.20017 of 2023

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 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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 stands dismissed.

sd/-
08/11/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
NAGERCOIL.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KOTTAR POLICE STATION,
KOTTAR,KANYAKUMARI DISTRICT.



CRL OP(MD). No.20017 of 2023

WEB COPY

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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-16226[I] dated
10/11/2023)

ORDER
IN
CRL OP(MD) No.20017 of 2023
Date :08/11/2023

PKP/JGB/SAR- /20.11.2023/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023