



CRL OP(MD).No.5865 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5865 of 2024

(*)Esthak Anthony Jansen @ Jansen ... Petitioner/Sole Accused

Vs.

State represented by
The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No.216 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Sathya Chidambaram, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.216 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in



CRL OP(MD).No.5865 of 2024

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connection with a case in Crime No.216 of 2024, for the offence punishable under Sections (**)294(b), 324 and 506(ii) of IPC and Sec.4 of Tamil Nadu Prohibition of Women Harassment Act, has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the de-facto complainant, the petitioner has attacked the de-facto complainant with wooden log and abused him in filthy language. The de-facto complainant sustained injury. Hence, the case.

3.The learned counsel appearing for the petitioner submits that it is a case in counter. One week before, the de-facto complainant went to the petitioner's home in a drunken mood and quarrelled with him. Again on 07.04.2024, the de-facto complainant attacked the petitioner and his mother. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the investigation is in the initial stage. He further submits that the injured has been discharged from the hospital.



CRL OP(MD).No.5865 of 2024

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5.Considering the nature of allegation and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Radhapuram, Tirunelveli District on condition that

(i) the petitioner execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Radhapuram, Tirunelveli District.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am



CRL OP(MD).No.5865 of 2024

until further orders. He has to co-operate for the investigation.

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(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
17/04/2024

(*)(**)AMENDED AS PER ORDER OF THE
COURT DATED 11.06.2024 IN CRL MP
(MD)NO.5816 OF 2024 IN CRL OP(MD)
NO.5865 OF 2024

TIME GRANTED BY THIS COURT TO
COMPLY WITH THE CONDITION IMPOSED
VIDE ORDER DATED 17.04.2024 IN CRL.O.P.
(MD)NO.5865 OF 2024 IS EXTENDED FOR A
PERIOD OF TEN DAYS FROM THE DATE
OF RECEIPT OF AMENDED COPY OF THIS
ORDER.

/ TRUE COPY /

/06/2024

Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR



CRL OP(MD).No.5865 of 2024

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TO
TO BE SUBSTITUTED WITH THE ORDER DATED 17.04.2024 ALREADY
DESPATCHED

- 1 THE JUDICIAL MAGISTRATE,
RADHAPURAM, TIRUNELVELI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
THISAYANVILAI POLICE STATION, TIRUNELVELI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate SR No.6353 dated 12.06.2024

ORDER
IN
CRL OP(MD) No.5865 of 2024
Date :17/04/2024

SS/GS/SAR- /26/04/2024/5P/6C

RK/JGB 21.06.2024 5P/6C

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