



CRL OP(MD). No.8339 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8339 of 2024

Micheal Raj,

... Petitioner/18th Accused/18th Accused

Vs

The State represented by
The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District
Crime No.179/2016.

... Respondent/Complainant/Complainant

For Petitioner : Mr.G.Aravinthan, Advocate

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

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

PRAYER :- To enlarge the petitioner on bail in the event of his arrest in connection with the case in PRC NO.13/2021 in Crime No.179/2016 on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District.

ORDER : The Court made the following order :-

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



CRL OP(MD). No.8339 of 2024

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connection with a case in Crime No.179 of 2016, for the offence punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 01.07.2016, the accused have attacked the defacto complainant and her aunt using deadly weapon, caused injuries to them and threatened them with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submits that 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 final report has been filed in the year 2021 showing the petitioner as absconding accused. Therefore, a non-bailable warrant was issued as against the petitioner.

5. The learned Counsel for the petitioner submits that on knowing that a non-bailable warrant has been issued against him, he has approached the learned Judicial Magistrate, Eraniel, Kanyakumari District and executed a bond under Section 88 of Cr.P.C and the learned Judicial Magistrate has directed the petitioner to obtain a



CRL OP(MD). No.8339 of 2024

proper bail. Therefore, the petitioner has approached this Court.

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6. Considering the facts and circumstances of the case and also considering the fact that the petitioner has executed a bond under Section 88 Cr.P.C., before the learned Judicial Magistrate, Eraniel, Kaniyakumari District, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 concerned Judicial Magistrate on condition that

(i) the petitioner execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Eraniel, Kaniyakumari 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 as and when required for interrogation. He has to co-operate for the investigation.



CRL OP(MD). No.8339 of 2024

WEB COPY

(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/-
07/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL, KANNIYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
VELLICHANTHAI POLICE STATION,
KANYAKUMARI DISTRICT

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

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-6253[I] dated 10/06/2024)



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CRL OP(MD). No.8339 of 2024

ORDER
IN
CRL OP(MD) No.8339 of 2024
Date :07/06/2024

SA/VR/SAR. /14.06.2024/5P/6C

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