



CRL OP(MD).No.8454 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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S.Greesa Prasad

... Petitioner/ Accused No.2

Versus

State Rep. by
The Inspector of police,
Eraniel Police Station,
Eraniel,
Kanyakumari District.
Crime No. 41 of 2016

... Respondent/Complainant

For Petitioner : M/s.S.Mahalakshmi, 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.41 of 2016 on the file of the Eraniel Police Station in Kanyakumari District in PRC No.19 of 2022 on the file of the Judicial Magistrate, Eraniel.

ORDER : The Court made the following order :-



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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in PRC No.19 of 2022 on the file of the Judicial Magistrate, Eraniel, for the offence under Sections 120(b), 452, 307 and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the defacto complainant along with his father and younger brother was discussing about the land matter in their house on 18.01.2016 at about 8.00 p.m. At that time, the petitioner abused the defacto complainant in filthy language, assaulted him with weapons and caused injuries and also criminally intimidated him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is a practising advocate and the dispute is between the brothers. She further submits that it is a case in counter. In this case, final report was filed on 19.01.2016 and the same was taken on file in PRC No.19 of 2022 on the file of the Judicial Magistrate Court, Eraniel. She further submits that the petitioner is ready to co-operate for trial and he undertakes that he will appear before the Trial Court on all hearing dates without fail.



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4. The learned Government Advocate (Crl. Side) submits that the case in PRC No.19 of 2022 is still pending for committal proceedings. Pending the committal proceedings, the petitioner was absconding. Therefore, a summons was issued to the petitioner for his appearance before the Court. He further submits that now, the case is posted on 20.06.2024 for furnishing the case papers to the accused.

5. Considering the nature of offence and also considering the fact that the petitioner is a practising advocate and he undertakes that he will co-operate for trial and appear before the trial Court on all hearing dates without fail, 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 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 on condition that

(i) the petitioner executes 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, Eraniel.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or

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



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any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the committal Court and co-operate for the committal proceedings.

(iv) The petitioner shall also appear before the trial Court on all hearing dates without fail. He has to co-operate for the trial.

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

(vi) 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/-
10/06/2024

/ TRUE COPY /

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

OGY
TO

- 1 THE JUDICIAL MAGISTRATE,
ERANIEL.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT @ NAGERCOIL.



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3 THE INSPECTOR OF POLICE
ERANIEL POLICE STATION, ERANIEL,
KANNIYAKUMARI DISTRICT.

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

+1 CC to M/s.S.MAHALAKSHMI, Advocate (SR-6260[I] dated 10/06/2024)

ORDER
IN
CRL OP(MD) No.8454 of 2024
Date :10/06/2024

PKP/ED/SAR /18.06.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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