



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

Thursday, the Ninth day of July Two Thousand Fifteen  
PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.12811 of 2015

WEB COPY

J. BIJU JACOB

... PETITIONER/ACCUSED No.2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
PAZHUKAL POLICE STATION,  
KANYAKUMARI  
CRIME NO.169/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.BRIJESH KISHORE Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 353, 307 of I.P.C., r/w. Section 21(1) of Mines and Minerals Regulation Act, 1957 and Section 36(A) Mines and Minerals Concession Rules, 1959 in Crime No.169 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, when he was conducting a vehicle cheque, all the accused, were transporting sand illegally, attempted to murder him.

3. The learned counsel for the petitioner submitted that the de-facto complainant is a Sub-Inspector of Police and the petitioner is owner of a tipper lorry bearing Registration No.TN 75 C 0597 and the first accused was working as a driver. It is further submitted that when the de-facto complainant stopped the vehicle, but, the first accused did not obey and therefore, a false case was registered against the petitioner. The learned counsel for the petitioner also submitted that the petitioner was not at all present in the scene of occurrence and the prime accused was already arrested.

4. The learned Government Advocate (Crl.side) submitted that the Sub Inspector of Police is the de-facto complainant in this case and the accused have attempted to murder him, but he has not sustained any injury. It is further submitted that the petitioner has no bad antecedent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.I, Kuzhithurai and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-  
09/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
KUZHITHURAI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE  
KANYAKUMARI AT NAGERCOIL.

3 THE INSPECTOR OF POLICE  
PAZHUKAL POLICE STATION, KANYAKUMARI.

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

+1cc to M/S.B.BRIJESH KISHORE, Advocate SR.No. 37763

ORDER  
IN  
CRL OP(MD) No.12811 of 2015  
Date :09/07/2015

PA/IV/14.07.2015/2P/6C