



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

Wednesday, the Twenty Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18403 of 2015

MUTHU

... PETITIONER / ACCUSED No.3

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
BOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT.
CR.no. 296 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.SANKAR Advocate

For Respondent : M/S.S.Prabha Government 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, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 341, 294(b), 323 and 353 of I.P.C., r/w TNPPDL Act, in Crime No.296 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

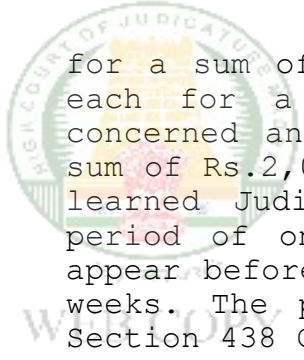
2.The case of the prosecution is that while the petitioner along with others tried to overtake the bus by riding in a motor cycle, but the bus driver did not give a way to overtake the bus, due to which, the petitioner along with others attacked the bus driver and damaged the mirror of the bus.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) would submit that the petitioner along with others damaged the mirror of the bus worth about Rs.2,000/- and the first accused was arrested and released on bail and the petitioner is the friend of the first accused.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Boothapandi, Kanyakumari District 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 deposit a sum of Rs.2,000/- to the credit of Crime No.296 of 2015 on the file of the learned Judicial Magistrate Boothapandi, Kanyakumari District within a period of one week and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for period of two weeks. 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/-
23/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, BOOTHAPANDI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE, BOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S M.SANKAR Advocate SR.No.56257.

TS/30.09.2015/2P - 6C GSV-PM/SAR -I

ORDER
IN
CRL OP(MD) No.18403 of 2015
Date :23/09/2015