



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21703 of 2015

1 AJIN @ JOE
2 VIBIN @ THITHIS
3 AKHIL DEV @ UNNI

... PETITIONERS/ACCUSED NO.2 TO 4

Vs

THE STATE
THE INSPECTOR OF POLICE
KALIAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO. 506/2015

... RESPONDENT/COMPLAINANT(S)

For Petitioner : M/S S.SIVAKUMAR Advocate

For Respondent : MRS.S.PRABHA, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

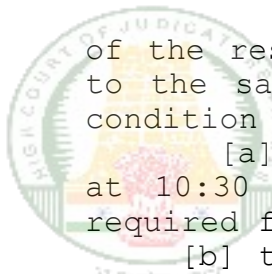
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 332 and 506(ii) IPC in Crime No.506 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners threatened the defacto complainant by way of throwing a beer bottle on him, while he is doing his duty.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence and they have been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. Heard the learned Government Advocate (Criminal Side), who would submit that the petitioners caused only simple injuries and that the injured has been discharged from the hospital.

5. Considering the fact that the injured has already been discharged from hospital, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Magistrate, No.I, Kuzhithurai on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10:30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
18/11/2015

/ 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 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL .
- 3 THE INSPECTOR OF POLICE, KALIAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.SIVAKUMAR Advocate SR.No.66006

ORDER
IN
CRL OP(MD) No.21703 of 2015
Date :18/11/2015

CSL/JGB-DP/AR-II/20.11.2015
2P/6C