



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

Monday, the Seventh day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.23133 of 2015

1 THOMAS
2 TUCKLAS

..PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE TAMIL NADU REP.BY
INSPECTOR OF POLICE
KOLLAMCODE POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 281 / 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.MANIMARAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

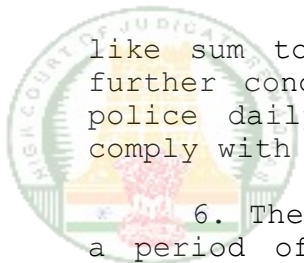
The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,294(b),332,307 of IPC and 3(i) of TNPPDL Act in Crime No.281 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant viz., Ignacius Xaviour who is working as a Special Tahsildar, while inspected the work, the petitioners and others abused him in filthy language and also tried to kill him by throwing stones and caused damage to the Jeep.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that co-accused were already released on bail, by the District Sessions Court, Kanyakumari in Crl.M.P.No.2989 of 2015 and accused Nos.9 to 13 were granted anticipatory bail by this Court in Crl.O.P(MD).No.20509 of 2015, dated 16.11.2015.

4. The learned Government Advocate (Crl. Side) would submit that the injured has already been discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital and that the co-accused were already released on bail, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail on their arrest or on their appearance before the learned Judicial Magistrate-II, Kuzhithurai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a



like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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.

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sd/-
07/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICLA MAGISTRATE NO.II, KUZHITHURAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE KANYAKUMARAI DISTRICT
 3. THE INSPECTOR OF POLICE, KOLLAMCODE POLICE STATION,
KANYAKUMARI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S R.MANIMARAN Advocate SR.No.69806

ORDER
IN
CRL OP(MD) No.23133 of 2015
Date :07/12/2015

GJM/SKS/RR/SARI-8.12.2015-2p-6C