



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

Wednesday, the Sixteenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23575 of 2015

1 DHASS
2 GEORGE ROBINSON
3 ALEXANDER
4 ANTHONY ADIMAI
5 ARUL
6 BABU @ SEKAR GALDON

..PETITIONERS/ACCUSED 5 TO 10

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 550 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S M.R SREENIVASAN 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.5 to 10, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 324 and 307 of IPC, in Crime No.550 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that due to the motive between the injured John Peter and the accused with regard to catching of fish at Mumbai, the accused persons attacked the husband of the defacto complainant John Peter with deadly weapons and he was admitted in the Lister Private Hospital at Marthandam. On intimation from the hospital, the case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. The injured John Peter in a drunken mood misbehaved with the girls belonged to the petitioners' village and that was questioned by the villagers and due that motive, husband of the defacto complainant tried to attack the villagers and at that time, both parties sustained injuries.



4.The learned Government Advocate(Crl.side) submitted that injured person had already been discharged from the hospital and the second petitioner/A6 was already arrested and remanded to judicial custody on 07.12.2015.

5.In view of the submission made by the learned Government Advocate (Crl.side), this petition is dismissed as against the second petitioner/A6 as infructuous.

6.In respect of petitioners 1 and 3 to 6 are concerned, considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 1 and 3 to 6, with certain conditions. Accordingly, the petitioners 1 and 3 to 6 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Kuzhithurai and on each of them 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 petitioners 1 and 3 to 6 shall reside at Tirunelveli and report before the Tirunelveli Town Police Station daily at 10.00 a.m., until further orders. The petitioners 1 and 3 to 6 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 1 and 3 to 6 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/-

16/12/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION, KANYAKUMARI DISTRICT.
- 5 THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION, TIRUNELVELI.

+1. CC to M/S M.R SREENIVASAN Advocate SR.No.72174

Akm/18.12.2015/2p-7c/SKN/SK/SAR-II

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>

IN

CRL OP(MD) No.23575 of 2015

Date :16/12/2015