



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

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24343 of 2015

1 VINO
2 JEGAN
3 JOHN BOSCO @ KUTTAN
4 SEBASTIAN

... PETITIONERS 1 to 4 / ACCUSED 1 to 4

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : 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 :-

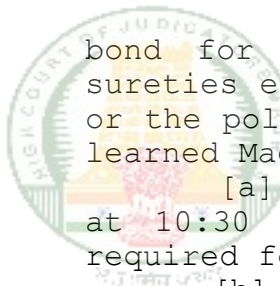
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294 (b), 324 and 307 IPC, in Crime No.550 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to motive between the injured husband of the defacto complainant namely, John Peter and the accused with regard to catching of fish at Mumbai, the accused persons attacked him 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 learned counsel for the petitioners submitted that co-accused were already granted anticipatory bail by this Court in Crl.O.P.(MD) No.23575 of 2015 dated 16.12.2015.

4.Heard the learned Government Advocate (Crl.side) on the above submissions.

5. Considering the above and taking into consideration of the above, 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 service of process, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, 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 four 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].

6.The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-

21/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KUZHITHURAI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT

3 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S M.R.SREENIVASAN Advocate SR.No.75647.

ORDER

IN

CRL OP(MD) No.24343 of 2015

Date :21/12/2015

AM/22.12.2015/NGM.SS/SAR-I/2P/6C