



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.24469 of 2015

1 JUSTUS NICHOLAS
2 VINCENT PAUL
3 BASKAR
4 JOHNSON
5 ANDRANI
6 THANISLAS

... PETITIONER(S) / ACCUSED 1 TO 6

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ERANIEL POLICE STATION,
ERANIEL, KANYAKUMARI DISTRICT.
(CR.NO. 868/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S R.MANIMARAN Advocate

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

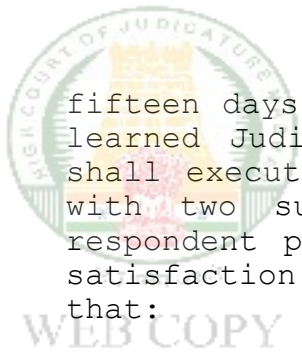
The petitioners, who apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 188 and 505(1)(b) IPC, in Crime No.868 of 2015 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that even though the official instructed that the name board should not be installed in the village limit temporarily, the petitioners have installed the name board.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

4.The learned counsel for the petitioners submitted that the defacto complainant's group attacked the petitioners and others with deadly weapons and three criminal cases were registered as against them and as a counter blast the present false complainant has been lodged against the petitioners.

5.Considering the nature of the offences and also the fact that this is a case in counter, 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 learned Judicial Magistrate, Eraniel, 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 am 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 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 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.

7.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.

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, ERANIEL.
- 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, ERANIEL POLICE STATION,
ERANIEL, KANYAKUMARI DISTRICT.

+1. CC to M/S R.MANIMARAN Advocate SR.No.76415.

TS/23.12.2015/2P-6C/SK-SKN/SAR - I