



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

Thursday, the Nineteenth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2496 of 2015

1 C. THANGAPPAN
2 T. LAKSHMI
3 S. KALAISELVAN

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, KANYAKUMARI DT,
CRIME NO.NOT KNOWN OF 2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.T. PERUMAL Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 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), 420 and 506(i) of the Indian Penal Code in Crime No.not known of 2015 on the file of the respondent police, seek anticipatory bail.

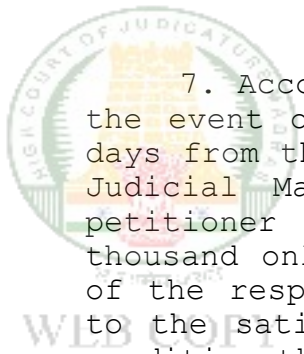
2. Heard the learned counsel appearing for the petitioners.

3. Since no regular case has been registered and only a petition enquiry is pending, this Court granted interim anticipatory bail on 12.02.2015 with a direction to the petitioners 1 and 3 to appear before the respondent police daily at 10.30 a.m for a period of two weeks and the second respondent to appear before the respondent police as and when required.

4. When the case was taken up for hearing on 26.02.2015, the respondent Police filed a status report, in which, they have stated that the petitioners were regularly appearing before the respondent Police, but the defacto complainant did not co-operate with the investigation, therefore, interim anticipatory bail already granted by this Court on 12.02.2015 was extended upto today ie., 19.03.2015.

5. Today, the learned Government Advocate (Crl.Side), on instructions from the respondent police, who is present before this Court, submitted that no case has been registered.

6. It is the case of the defacto complainant that these petitioners were doing some chit business in the Village and they indulged in anti-social activities. The defacto complainant has made very vague allegation against the petitioners. Under the said circumstances, this Court is of the view that it is a fit case for granting anticipatory bail to the petitioners.



7. 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 No.III, Nagercoil on condition that each of the petitioner 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 appear before the respondent police 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 Judicial 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 Judicial 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].

(e) In the event of the respondent Police registering a regular case, this anticipatory bail will enure to the benefit of the petitioners and they need not apply to file a fresh application for anticipatory bail.

sd/-
19/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
NAGERCOIL.
 - 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT
 - 3 THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, KANYAKUMARI DT,
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.T. PERUMAL Advocate SR.No.13422

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

ORDER
IN
CRL OP(MD) No.2496 of 2015
Date :19/03/2015