



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

Wednesday, the Eighteenth day of February Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2928 of 2015

1 PREMJI @ PREMJI SASI
2 SHAMJI
3 SHAJIN @ SHAJIKUMAR
4 BIBIN
5 SIBU
6 RASSALRAJ
7 RASSALKUMAR
8 SHAIJU
9 SIJU
10 DEVARAJ
11 RAJAN

... PETITIONER(S) / ACCUSED 1 to 11

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION, KANYAKUMARI DT,
CRIME NO.54/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : Mr.A.P.Balasubramani Government Advocate (Crl. Side)

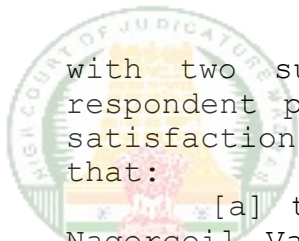
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294 (b), 323, 324 and 506(ii) of Indian Penal Code in Crime No.54 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Criminal Side) that this is case and counter and counter case has been registered in Crime No.55 of 2015. There is no previous case against these petitioners.

3. Considering the facts and circumstances of the case and also the fact that the petitioners have no previous antecedent, 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 No.I, Kullithurai, Kanyakumari District, on condition that the petitioners shall execute a separate 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 stay at Nagercoil and report before the Nagercoil Vadaseri Town Police Station every day at 10.30 a.m., for a period of two weeks and thereafter, as and when required by the respondent police 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]**.

[e] The Inspector of Police, Nagercoil Vadaseri Town Police Station is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-
18/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

- TO
- 1 THE JUDICIAL MAGISTRATE, NO.I, KULITHURAI, KANYAKUMARI DISTRICT.
 - 2 Do Through THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION, KANYAKUMARI DISTRICT.
 - 5 THE INSPECTOR OF POLICE
NAGERCOIL, VADASERI TOWN POLICE STATION, NAGERCOIL.

TS/23.02.2015/2P-6C

ORDER
IN
CRL OP(MD) No.2928 of 2015
Date :18/02/2015