



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

Monday, the Twenty Third day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3163 of 2015

WEB COPY

1 MURUGAN
2 MOHAN

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.
CR. NO. 82/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.S.RAMAKRISHNA DASS Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) IPC in Crime Nos.82 of 2015 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel on either side.

3. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submits that the injured has been discharged from the hospital and there is no previous case against these petitioners.

5. Having regard to the facts and circumstances of the case and the injured has been discharged from the hospital, 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 (15) days** from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Eranieal** on condition that the petitioners 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 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/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]**.

sd/-

23/02/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ERANIEAL

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL

3 THE SUB INSPECTOR OF POLICE KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.N.S.RAMAKRISHNA DASS Advocate SR.No.8291

ORDER

IN

CRL OP(MD) No.3163 of 2015

Date :23/02/2015

NA/24/02/2015/P2/6C