



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

Monday, the Sixteenth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.4856 of 2015

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1 RAMU
2 DEVI
3 MAHESWARI

... PETITIONERS/ACCUSED NO.1 TO 3

Vs

THE STATE REP BY
INSPECTOR OF POLICE
KOTTAR POLICE STATION,
NAGERCOIL, KANYAKUMARI DIST.
(CR.NO. 165 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SARAVANAKUMAR 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 :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(i) I.P.C. in Crime No. 165 of 2015 on the file of the respondent police, seek anticipatory bail.

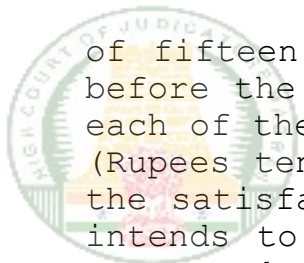
2. There is no representation on behalf of the petitioners, due to "Boycott of Court" pursuant to boycott called by Bar Council of India protesting the murder of an Advocate by police. Heard the learned Government Advocate (Crl.Side) appearing for the State. The respondent police is present.

3. The case of the prosecution is that the defacto complainant is a practicing Advocate and due to some dispute, there was a quarrel between them.

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case as against the petitioners.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, 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:

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[a] the petitioners shall appear before the respondent police daily at 06.30p.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 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) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioners are complying with the order or not.

sd/-
16/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NAGERCOIL
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE KOTTAR POLICE STATION, NAGERCOIL,
KANYAKUMARI DIST.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SARAVANAKUMAR Advocate SR.No.12780

ORDER

IN

CRL OP(MD) No.4856 of 2015

Date :16/03/2015