



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

Tuesday, the Thirteenth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.519 of 2015

1 R.M.RABEER @ RAFFIQ

2 SHIEK SYED ALI @ THADI SHIEK

3 ABI @ ABU

4 AIYYUB

... PETITIONER(S) / ACCUSED 1 to 4

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
VADASERI POLICE STATION,
KANYAKUAMRI DISTRICT. CR. NO.1194/2014. ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate

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

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

ORDER : The Court Made the following order :-

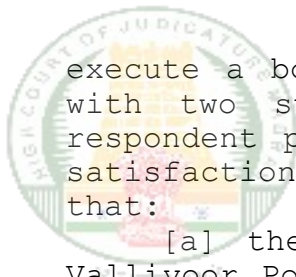
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 452, 294(b) and 506(ii) of the Indian Penal Code in Crime No.1194 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to group clash, the present case has been registered and no one has been injured.

3. Considering the above, this Court is inclined to grant Anticipatory Bail.

4. The learned counsel appearing for the petitioners would submit that the *de facto* complainant, in this case, is a practising Advocate, and therefore, though the First Information Report is pending on the file of the learned Judicial Magistrate No.II, Nagercoil, since the Advocates have not come forward to furnish sureties, he seeks permission of this Court to produce sureties before the learned Judicial Magistrate, Valliyoor.

5. 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, Valliyoor, on condition that the petitioners shall



execute a bond for a sum of Rs.10,000/- each (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 Valliyoor and report before the Valliyoor Police Station twice a day at 10:30 in the morning and 06:30 in the evening for a period of four 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]**.

(d).It is made clear that the learned Judicial Magistrate, Valliyoor shall accept sureties and thereafter, transmit the papers to the learned Judicial Magistrate, No.II, Nagercoil.

sd/-
13/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO
1 THE JUDICIAL MAGISTRATE, VALLIOOYR.
2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3 THE JUDICIAL MAGISTRATE, NO.II, NAGERCOIL.
4 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
5 THE INSPECTOR OF POLICE
VADASERI POLICE STATION, KANYAKUMARI DISTRICT.
6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
+1. CC to M/S.K.SEEMARAJ Advocate SR.No. 1634.

TS/13.01.2015/2P-8C

ORDER
IN
CRL OP(MD) No.519 of 2015
Date :13/01/2015