



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.525 of 2015

WEB COPY

1 THAHIR

2 (*) HAKEEM

3 THAUVSIP

..PETITIONERS/ACCUSED 2, 5 & 6

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

KOTTAR POLICE STATION, NAGERCOIL,

KANYAKUAMRI DISTRICT.

CR. NO.6/2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.M.VISHNU VARTHANAN 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 294(b), 341, 307, 506(ii), 120(b) and 153 A of Indian Penal Code in Crime No.6 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 the case and counter and counter case has been registered in Crime No.7 of 2015. In all these case, the injured have been discharged from the hospital. There are no previous cases against these petitioners.

3. Considering the facts and the injured had already been discharged from hospital and 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.II, Nagarcoil, 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:

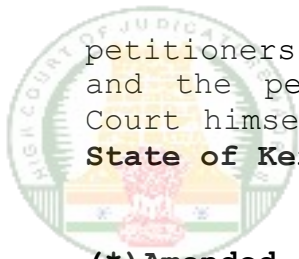
[a] the petitioners shall stay at Tirunelveli and report before the Alwarthirunagari Police Station twice a day daily at 10:30 a.m., in the morning and 06:30 p.m., in the evening for a period of three weeks and thereafter, as and when required for interrogation.

[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.

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

[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/-
22/01/2015

(*)Amended as per order dated 09.02.2015 and made in MP(MD)No.1/2015 in CrI.OP(MD)No.525/2015 and Two weeks time, from the date of receipt of amended copy of this order, is granted to the petitioner to furnish sureties. Rest of the conditions, imposed earlier, shall remain the same.

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

(*)To be substituted order already despatched.

- 1 THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
 - 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
 - 4 THE INSPECTOR OF POLICE, KOTTAR POLICE STATION, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 5 THE INSPECTOR OF POLICE, ALWARTHIRUNAGARI POLICE STATION, TIRUNELVELI.
- +1. CC to M/S.P.M.VISHNU VARTHANAN Advocate SR.No.5996
ORDER IN
CRL OP(MD) No.525 of 2015
Date :22/01/2015

PBK 23/01/2015 ::2P-7C:
PBK 13/02/2015 ::2P-7C: