



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5401 of 2015

1 MANIKANDAN
2 VELMURUGAN
3 RASAI AH

..PETITIONERS/ACCUSED 1 TO 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
SOUTH THAMARA KULAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CR.NO.38/15)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S. R. ANAND Advocate

For Respondent : Mr.P.KANDASAMY, Government Advocate (Criminal 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 in Crime No.38 of 2015, on the file of the respondent police for offence under Sections 294(b), 324 and 506(ii) IPC, the petitioner is now before this Court seeking Anticipatory Bail.

2. This is the second anticipatory bail application and the first anticipatory bail application filed in Crl.O.P.(MD)No.1959 of 2015 was dismissed as withdrawn on 13.02.2015.

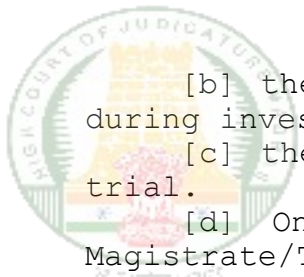
3. It appears that there is a civil dispute pending between the petitioner and the defacto complainant and on account of which, a quarrel ensued between them on 01.02.2015, in which the defacto complainant was injured.

4. The learned Government Advocate (crl. side) would that the injured has already been discharged from the hospital and there is no previous case against the petitioner.

5. Under such circumstances, I am inclined to grant anticipatory bail to the petitioner, but with conditions.

6. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Nagercoil on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety 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 petitioner shall stay at Valliyur and report before Valliyur Police Station daily twice at 10.30 a.m. and 06.30 p.m. for a period of two weeks and thereafter as and when required.



[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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/-

24/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.

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, SOUTH THAMARAIKULAM POLICE STATION,
KANYAKUMARI DISTRICT.

5 THE INSPECTOR OF POLICE, VALLIYUR POLICE STATION, VALLIYUR.

+1. CC to M/S. R. ANAND Advocate SR.No.14387

ORDER IN

CRL OP(MD) No.5401 of 2015

Date :24/03/2015

PBK 25/03/2015 ::2P-7C: