



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

Friday, the Fifteenth day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.11816 of 2016

WEB COPY

ARUN ANTONYRAJ

... PETITIONER/ACCUSED No.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 259/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S F.DEEPAK Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A3 accused apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147, 294(b), 323, 324 and 506(ii) of IPC and 3(1) of Tamil Nadu Public Property Prevention of Damage Act in Crime No.259 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioner along with other accused attacked the defacto complainant with stick and caused simple injury and also damaged the Maruthi Van worth Rs.30,000/-. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that the petitioner is ready to deposit a sum of Rs.5,000/- and prayed for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.30,000/- and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact the petitioner is willing to deposit a sum of Rs.5,000/-, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Eraniel, Kanyakumari District on condition that the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.259 of 2016 and 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:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

15/07/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S F.DEEPAK Advocate SR.No.37020

ORDER
IN
CRL OP(MD) No.11816 of 2016
Date :15/07/2016

PA/NGM-MP/SAR II/20.07.2016/2P/6C