



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

Wednesday, the Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13671 of 2016

SUMITHA

... PETITIONERS/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
SOUTH THAMARAikulam POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 246/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. M.P.SENTHIL Advocate

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

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

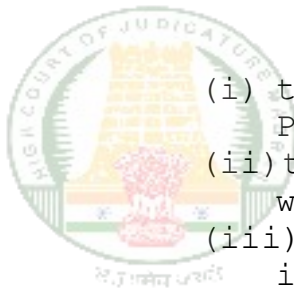
ORDER : The Court Made the following order :-

The petitioners, who is arrayed as sole accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) IPC, in Crime No.246 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2.It is submitted by the learned counsel for the petitioner that the petitioner is innocent and he has not committed any offence and he has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

3.It is submitted by the learned Government Advocate (Crl.Side) that no one is injured.

4. Considering the facts and circumstances of the case and also considering the fact that no one is injured, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, he 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 No.III, 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 to 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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- (i) the petitioner shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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 has 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
03/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
SOUTH THAMARAikulam POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. M.P.SENTHIL Advocate SR.No.41680

ORDER
IN
CRL OP(MD) No.13671 of 2016
Date : 03/08/2016

AA/ARK-PV/SAR-III/05.08.2016/2p-6c