



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.13717 of 2016

1 JENISH,
2 PRAVEEN,
3 ESAKKIMUTHU,
4 VELAMMAL,

..PETITIONERS/ACCUSED 1 TO 4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
BOOTHAPANDI POLICE STATION,
KANYAKUMARI DISTRICT.
IN CR.NO.281 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SANKAR Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

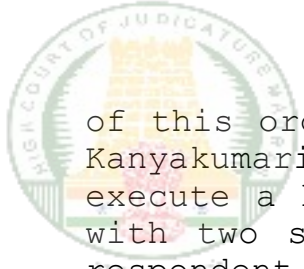
The petitioners who are arrayed as accused, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 448, 294(b), 323 and 506(i) of IPC in Crime No.281 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel the petitioners trespassed into the house of the defacto complainant and brutally attacked him and threatened with dire consequences. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the injured has been discharged from the hospital and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that injured has been discharged from the hospital, 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, Boothapandi, Kanyakumari District on condition that each of the petitioners 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 petitioners 1 to 3 shall report before the respondent police daily at 10.00 am until further orders and the 4th petitioner being a lady shall appear before the respondent Police 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 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].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

sd/-

03/08/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.SANKAR Advocate SR.No.41772

ORDER IN

CRL OP(MD) No.13717 of 2016

Date :03/08/2016

PBK/AAL-MPA/SAR-III 05/08/2016 ::2P-6C::