



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

Thursday, the Fourth day of August Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.13862 of 2016

WEB COPY

1 MANU @ SAILENDRAN
2 SASITHARAN @ PACHU
3 SATHI @ SATHISHKUMAR
4 RAMA @ RAMADEVI
5 BIJU
6 SHIJA @ SHIJU

... PETITIONERS/ACCUSED Nos.1,2,4,5,6 & 7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PAZHUGAL POLICE STATION,
KANYAKUMARI DISTRICT.
CR. NO.153/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.R.SREENIVASAN 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 apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,452,294(b) of IPC and Section 4 of Prohibition of Harassment of Woman Act, 2002 in Crime No.153 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners trespassed into the house of the defacto complainant and attacked him and caused damage worth Rs.8,000/-. 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. He further submitted that the each of the petitioners willing to deposit a sum of Rs.1,500/- and prayed for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the petitioners entered into the house of the defacto complainant and caused damage worth about Rs.8,000/- and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are willing to deposit the amount, 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.I, Kuzhithurai, Kanyakumari District on condition



that the each of the petitioners shall deposit a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) to the credit of the above said Crime No. 153 of 2016 and each of them 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 and 5 and 6 shall report before the respondent police daily at 10.00 am until further orders and the 4th petitioner being 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/-

04/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRAE NO.I
KUZHITHURAI, KANYAKUMARI DISTRICT

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
PAZHUGAL POLICE STATION, KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.R.SREENIVASAN Advocate SR.No.42429

ORDER

IN

CRL OP(MD) No.13862 of 2016

Date :04/08/2016