



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

Tuesday, the Eighteenth day of October Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.19689 of 2016

1 DON @ DON ANTONY,
2 NEELARAJAN
3 PONNULINGAM

... PETITIONERS / ACCUSED Nos.2,3&4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
SUCHINDRUM POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.421 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU ,Advocate

For Respondent : MR.K.V.RAJARAJAN, 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 the alleged offence punishable under Sections 147, 148, 341, 294(b), 307, 324 and 506(ii) and 379 (NH) IPC in Crime No.421 of 2016 on the file of the respondent police, seek anticipatory bail.

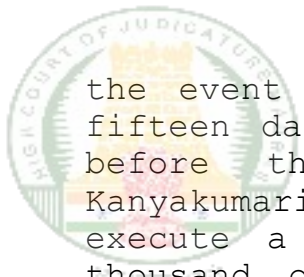
2.Heard the learned counsel on either side.

3.The case of the prosecution is that while taking bath in a pond, quarrel arose between the petitioners and the defacto complainant and they abused each other with filthy language.

4.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and prays for anticipatory bail in favour of the petitioners.

5.The learned Government Advocate (Crl.side) submitted that injured had already been discharged from hospital.

6.Considering the facts and circumstances of the case, 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.III, Nagercoil, Kanyakumari District, on condition that the petitioners shall execute a separate 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 shall report before the respondent Police daily at 10:30 am until further orders.

[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]**.

sd/-

18/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III,
NAGERCOIL, KANYAKUMARI DISTRICT,

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI@ NAGERCOIL.

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

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

+1. CC to M/S.S.R.ANBARASU, Advocate SR.No.61215.

ORDER

IN

CRL OP(MD) No.19689 of 2016

Date :18/10/2016

msm/gsv-pm/Sar-3/24.10.16/p2/6c