



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

Monday, the Twenty First day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22044 of 2016

1 AJEESH,
2 AJITH,
3 SOORAJ,

... PETITIONERS 1TO3/ACCUSED 1TO 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PAZHUGAL POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.206 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.R.SREENIVASAN Advocate

For Respondent : MRS.S.PRABHA 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 offence punishable under Sections 294(b), 427, 506(ii) IPC and 379 (NP) in Crime No.206 of 2016 on the file of the respondent Police, seek anticipatory bail.

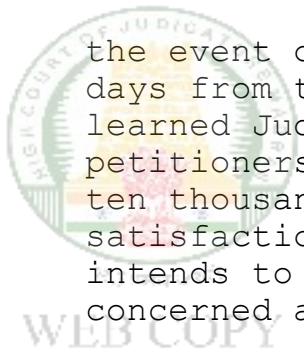
2.The case of the prosecution is that the 1st petitioner was working as an employee in the de facto complainant's Chicken shop and since the 1st petitioner was not attending duty regularly, the de facto complainant sent out the 1st petitioner from his shop. Due to the same, the petitioners went to the house of the de facto complainant threatened him with dire consequences and also theft 5 turkey.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that no one sustained injury and investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that no one sustained injury, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Kuzhithurai, on condition that 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 1st petitioner shall report before the respondent Police daily at 6.00 a.m. until further orders and the petitioners 2 and 3 shall attend college regularly.

[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/-

21/11/2016

/ TRUE COPY /

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

NBJ

TO

1 THE JUDICIAL MAGISTRATE NO.I, KUZHITHURAI

2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI 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.71061

GJM/PV/SAR-I-1.12.16-1P-6C

ORDER

IN

CRL OP (MD) No.22044 of 2016

Date :21/11/2016