



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

Wednesday, the Tenth day of February Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2423 of 2016

WEB COPY

MANIKANDAN

... PETITIONER/ACCUSED No.2

Vs

THE STATE REP.BY THE
THE INSPECTOR OF POLICE
PETCHIPARAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 111 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.SEEMARAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.111 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 324 and 506(ii) IPC, the petitioner is now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3.It is seen that A1 and A3 were arrested and released on bail and the injured has been discharged from the hospital.

4.Taking into consideration the nature of the allegation against this petitioner and the fact that injured has been discharged, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.

5. Accordingly, the petitioner 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, Thuckalay, on executing 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 petitioner shall report before the respondent Police every day at 6.30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

<https://hcservices.ecourts.gov.in/hcservices/>

[c] the petitioner 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 petitioner in accordance with law as if the conditions have 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]**.

[e] The Inspector of Police concerned is directed to send compliance report to the office of the Government Advocate (Crl. Side) as to whether the petitioner is complying with the condition or not.

sd/-

10/02/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S K.SEEMARAJ Advocate SR.No.7983

ORDER

IN

CRL OP(MD) No.2423 of 2016

Date :10/02/2016

PA/NGM-SS/SAR I/12.02.2016/2P/6C