



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

Monday, the Twenty Fifth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.6813 of 2016

1 JOSELIN MANOVA @ MANO

2 AJITH

..PETITIONERS/ACCUSED 1 & 4

Vs.

STATE REP.BY

THE INSPECOR OF POLICE

THIRUVATTAR POLICE STATION,

KANYAKUMARI DISTRICT.

CR NO. 136/2016.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S K.P.NARAYANAKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners/A1 and A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 341, 294(b), 323, 506(i) and 379(NP) of IPC, in Crime No.136 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

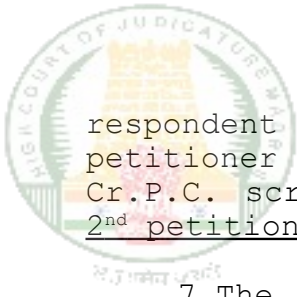
2.The case of the prosecution is that due to business motive, the accused persons restrained the de-facto complainant and assaulted him and also taken away of Rs.51,000/- from the pocket of the de-facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) appearing for the respondent has submitted that the accused persons had assaulted the de-facto complainant and A1 had taken away Rs.51,000/- from the pocket of the de-facto complainant and no amount was recovered from him.

5.Considering the specific allegation made against the first petitioner, this court is not inclined to grant anticipatory bail to the first petitioner and hence, this petition is dismissed as against him. Considering the allegation made against the 2nd petitioner, this Court is inclined to grant anticipatory bail to him with certain conditions.

6.Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Padmanabhapuram and on his executing 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 learned Magistrate concerned and on further condition that the 2nd petitioner shall appear before the



respondent police daily at 10.00 a.m. until further orders. The 2nd petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The respondent police is at liberty to secure the 2nd petitioner in the event of non-compliance of the above conditions.

7. The 2nd petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/04/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM.
- 2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, THIRUVATTAR POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S K.P. NARAYANAKUMAR Advocate SR.No.23561

ORDER IN
CRL OP(MD) No.6813 of 2016
Date : 25/04/2016

PBK/GSV-PM/SAR-I 02/05/2016 :: 2P-6C::