



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

Friday, the Twenty Ninth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.7238 of 2016

1 RABI@AADU RABI

2 JUSTIN

... PETITIONERS/ACCUSED 1&2

Vs

THE STATE

REP BY THE INSPECTOR OF POLICE

THUCKALAY POLICE STATION

KANYAKUMARI DISTRICT

(CRIME NO.354/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S R.RUSSEL RAJ Advocate

For Respondent : M/S.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/Accused 1 and 2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 427 of IPC and Section 4 of TNPHW Act in Crime No.354 of 2016 on the file of the respondent police, seek anticipatory bail.

2.The learned counsel for the petitioners submitted that the petitioners are an innocent persons and they have not committed any offences as alleged by the prosecution and they have been falsely implicated in this case.

3. Heard the learned Government Advocate (Crl. Side) appearing for the respondent.

4.Considering the nature of allegations levelled against the petitioners, this Court is of the view that the petitioners can be released on anticipatory bail on terms.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail subject to the following conditions:

(i) the petitioners are directed to deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the Credit of Crime No.354 of 2016 on the file of respondent police before the learned Judicial Magistrate, Padmanabhapuram, Kanyakumari District, on or before 06.05.2016;



(ii) the petitioners are directed to surrender before the Court concerned within a period of 15 days from the date of receipt of a copy of this order along with receipt for payment of Rs.3,000/-, and on such surrender before the learned Judicial Magistrate, Padmanabhapuram, Kanyakumari District, they may be released on bail, on each of them 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;

(iii) the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders;

(iv) the petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously; and

6. It is made clear that if the petitioners fail to comply with anyone of the conditions as stated above, the respondent police is at liberty to move cancellation of anticipatory bail before this Court.

sd/-
29/04/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S R.RUSSEL RAJ Advocate SR.No.25439
RL/6C/2P/SKS/RR/ARI/3/5/2016

ORDER
IN
CRL OP(MD) No.7238 of 2016
Date :29/04/2016