



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

Monday, the Twentieth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.9628 of 2016

1 BABISH
2 KRISHNAN

... PETITIONERS / ACCUSED No.2&3

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ERANIEL POLICE STATION, KANYAKUMARI DISTRICT.
CR.NO.383/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.RAMAKRISHNAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

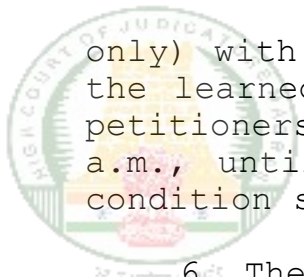
The petitioners, who are arrayed as accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, and 506(ii) of IPC , in Crime No.383 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that due to civil dispute the petitioners along with other accused assaulted the defacto complainant with hands and also abused him in filthy language.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that it is a simple injury and the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Eraniel, Kanyakumari District and 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 and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
20/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
ERANIEL, KANYAKUMARI DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI
 - 3 THE INSPECTOR OF POLICE
ERANIEL POLICE STATION, KANYAKUMARI DISTRICT.
 - 4 THE GOVERNMENT ADVOCATE, (CRL.SIDE),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S S.RAMAKRISHNAN Advocate SR.No.31373

TRP
JAM/21.03.16/AAL-MPA/SAR I/2P-6C

ORDER
IN
CRL OP(MD) No.9628 of 2016
Date :20/06/2016