



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

Friday, the Third day of February Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1046 of 2017

BENITTO

...PETITIONER/ACCUSED NO.1,

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VELLICHANTHI POLICE STATION,
KANYAKUMARI DISTRICT,
IN CRIME NO.193 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.SANKAR PRAKASH Advocate

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

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

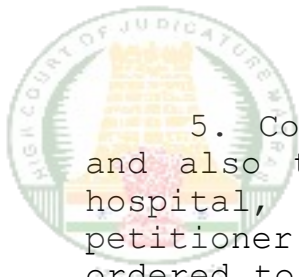
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 341, 323, 324 and 506(ii) of I.P.C., in Crime No.193 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The learned Government Advocate (Crl.side) states that totally there are two accused in this case and the petitioner herein is A1 and the co-accused was arrested and released on bail by the concerned Judicial Magistrate and the injured has been discharged from the hospital.

3. The case of the prosecution is that due to previous enmity, the accused said to have attacked the de-facto complainant with knife and caused simple injuries to the de-facto complainant.

4. The learned counsel for the petitioner states that nothing happened as stated in the F.I.R. and the complaint is given with an ulterior motive and the petitioner has not committed any offence as alleged by the prosecution.



5. Considering the above facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Eraniel, Kanyakumari District 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
03/02/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL.

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
VELLICHANTHI POLICE STATION,
KANYAKUMARI DISTRICT

+1. CC to M/S.C.SANKAR PRAKASH Advocate SR.No.6207.

ORDER
IN
CRL OP(MD) No.1046 of 2017
Date :03/02/2017