



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

Monday, the Twenty Eighth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10880 of 2017

1 ABINESH
2 SUBIN @ SUJIN
3 PRAVEEN

... PETITIONERS / ACCUSED 1 TO 3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, SUCHINDRAM,
KANYAKUMARI DISTRICT.
CRIME NO.402 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.L.GEORGE PAUL ANTO Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

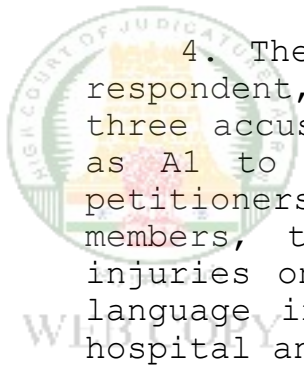
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC., and Section 4 of the Prohibition of Harassment of Women Act, 2002, in Crime No.402 of 2017, seek anticipatory bail.

2. The case of the prosecution is that due to misunderstanding between the family members of petitioners and the defacto complainant, the petitioners said to have pelted stones and caused injuries on the defacto complainant and also said to have abused filthy language in a drunken mode.

3. The learned counsel appearing for the petitioners states that the defacto complainant and the petitioners are residing in the same village and due to previous enmity with the petitioners' family, the defacto complainant has lodged this false complaint against the petitioners. The petitioners are no way connected with the offence and the petitioners are innocent and they have not committed any offence, as alleged by the prosecution.



4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally three accused in this case, who are the petitioners herein, arrayed as A1 to A3 respectively. Due to misunderstanding between the petitioners' family members and the defacto complainant family members, the petitioners said to have pelted stones and caused injuries on the defacto complainant and said to have abused filthy language in a drunken mode. The injured was discharged from the hospital and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from this hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District, on condition that each petitioners shall execute 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 respondent police or the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall report before respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required, for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioners 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/-
28/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO III
KANYAKUMARI AT NAGERCOIL
- 2 -do- thro THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, SUCHINDRAM,
KANYAKUMARI DISTRICT.



4 ADDITIONAL PUBLIC PROSECUTOR
MADURAI

+1. CC to M/S.L.GEORGE PAUL ANTO Advocate SR.No.29471

WEB COPY

ORDER

IN

CRL OP (MD) No.10880 of 2017

Date :28/08/2017

SM:PMPN-SAR2:30/08/2017:6C