



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

Wednesday, the First day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14746 of 2017

1 JOHN BERLIN
2 HELJI @ SAHAYA KIIJ
3 ANTANY
4 ANTHONY (PAMPUKADICHAN) @
ANTHONY DHASAN, ... PETITIONERS/ACCUSED No.1 to 4

Vs

THE STATE
THE INSPECTOR OF POLICE
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO.389/2017 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.RUSSEL RAJ Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

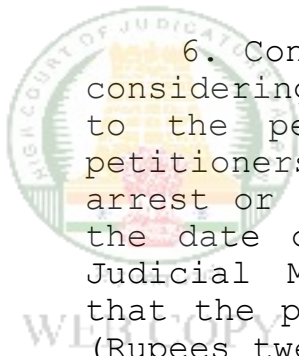
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A4, apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(i) of IPC, in Crime No.389 of 2017, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that on 22.10.2017, due to previous enmity these petitioners are attacked the defacto complainant and thereby, the defacto complainant sustained injuries and admitted in the hospital. Thereafter, the defacto complainant lodged a complaint against the petitioners before the respondent police.

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

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the injured person discharged from the hospital.



6. Considering the facts and circumstances of the case and also considering the fact that, I am 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Eraniel, Kanyakumari District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-

01/11/2017

/ 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 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT
- 3 THE INSPECTOR OF POLICE
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.R.RUSSEL RAJ Advocate SR.No.33592

ORDER IN

CRL OP(MD) No.14746 of 2017

Date :01/11/2017