



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

Friday, the Third day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14890 of 2017

1 RAJENDRAN
2 MURUGAN

... PETITIONERS/ ACCUSED NOS.1 AND 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ETHAMOZHI POLICE STATION,
ETHAMOZHI,
KANYAKUMARI DISTRICT.
CRIME NO.200/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.KARTHICK SUBRAMANIAN Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

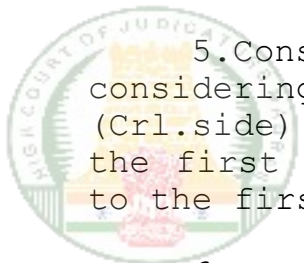
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for offences punishable under Sections 294(b), 323 and 506(i) of I.P.C., in Crime No.200 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 29.10.2017, it is alleged that the petitioners came in a Pulsar bike and waylaid the defacto complainant and without any reason, the petitioners attacked the defacto complainant and thereby the defacto complainant sustained injuries and admitted in the hospital.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners and the defacto complainant are close friends.

4. The learned Government Advocate (Crl.side) appearing for the State submitted that there are five previous cases pending against the first petitioner, out of which one case was registered under Section 302 of I.P.C. However, there is no previous case levelled against the second petitioner.



5.Considering the facts and circumstances of the case and considering the submission made by the learned Government Advocate (Crl.side) and considering the gravity of offence levelled against the first petitioner, I am not inclined to grant anticipatory bail to the first petitioner.

6.However, considering the submission made by the learned Government Advocate (Crl.Side) that there is no previous case levelled against the second petitioner, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Nagercoil, on condition that the second petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 second petitioner shall report before the respondent police, daily at 10.00 a.m., for a period of four weeks, and thereafter, as and when required for interrogation;

(ii) the second petitioner shall report before the respondent police, as and when required for interrogation;

(iii) the second petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the second petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the second petitioner shall not commit any offence while on bail;

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

sd/-
03/11/2017

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3. THE INSPECTOR OF POLICE, ETHAMOZHI POLICE STATION,
ETHAMOZHI, KANYAKUMARI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.KARTHICK SUBRAMANIAN Advocate SR.No.33879

ORDER

IN

CRL OP(MD) No.14890 of 2017

Date :03/11/2017

MS/PM-PN/SAR.1/07.11.2017/3P.6C