



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

Monday, the Thirteenth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1557 of 2017

ANTHONY ADIMAI

... PETITIONER/PETITIONER/A7

Vs

STATE REPRESENTED BY ,
THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO. 458 OF 2016

... RESPONDENT/RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.VIJAYARAJA Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

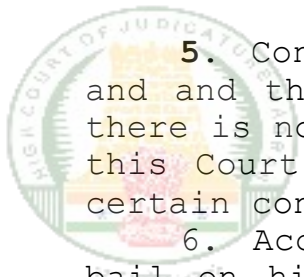
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 25.01.2017, for the offences punishable under Sections 147, 148, 294(b), 323 and 506(ii) of IPC., and Section 4(i) of TPWH Act, in Crime No.458 of 2016, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused unlawfully assembled and committed riots using filthy language and criminally intimidated him.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that there is a case in counter in Crime No.415 of 2016, on the basis of the complaint given by A1 in this case. He also submitted that the injured has been discharged from the hospital.

4. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally ten accused in this case and the petitioner herein is A7. The petitioner along with other accused were granted anticipatory bail by the concerned Sessions Court in Crl.M.P.No.3177 of 2016, dated 20.10.2016 with certain conditions. The petitioner failed to comply with the order passed by the Sessions Court and subsequently, the petitioner was arrested on 25.01.2017.



5. Considering the above facts and circumstances of the case and the the injured has been discharged from the hospital and there is no tension or picketing till now because of the occurrence, this Court is inclined to grant bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate, Kulithurai, Nagercoil, and on further condition that:

[a] the petitioner 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.

[b] the petitioner shall not tamper with evidence or witness either during trial or investigation.

[c] the petitioner shall not abscond either during trial or investigation.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law, as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

13/02/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, KULITHURAI, NAGARCOIL.

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

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

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

5 THE OFFICER IN CHARGE, SUB JAIL, KULITHURAI.

+1. CC to M/S.J.VIJAYARAJA Advocate SR.No.7861

MPK

CSL/JM/SAR-II/13.02.2017 : 2P/7C



WEB COPY

Date :13/02/2017