



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

Friday, the Seventeenth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15746 of 2017

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2 ANTO @ ANTONY

... PETITIONERS/ACCUSED No.1 & 2

Vs

THE STATE REP. BY

THE INSPECTOR OF POLICE,

MARTHANDAM POLICE STATION, MARTHANDAM,

KANYAKUMARI DISTRICT

(CRIME NO.502 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.D.BALAMURUGAN Advocate

For Respondent : Mr.C.MAYIL VAHANA RAJENDRAN,
Additional Public Prosecutor

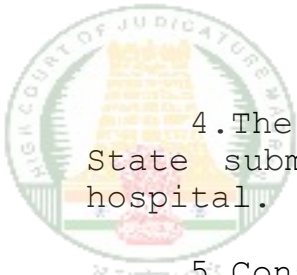
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.1 and 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of I.P.C., in Crime No.502 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 14.11.2017 at about 02.00 p.m., the defacto complainant was waiting at the Marthandam New Bus stand. At that time, the petitioners and other accused who came there, abused the defacto complainant in filthy language and also assaulted him. Thereby, the defacto complainant sustained injuries and was admitted in the hospital. Hence, a case has been registered against the petitioners for the above said offences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution.



4. The learned Additional Public Prosecutor appearing for the State submitted that the injured person was discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Additional Public Prosecutor, 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 No.I, Kuzhithurai, 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 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 respondent police, daily at 10.30 a.m., for a period of two weeks, and thereafter, as and when required for interrogation;

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

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

(iv) the petitioners shall not abscond either during investigation or trial;

(v) the petitioners 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 petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
17/11/2017

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



1 THE JUDICIAL MAGISTRATE No.I
KUZHITHURAI, KANYAKUMARI DISTRICT

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL

3 THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION, MARTHANDAM,
KANYAKUMARI DISTRICT

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

+1. CC to M/S.D.BALAMURUGAN Advocate SR.No.34629

ORDER
IN
CRL OP(MD) No.15746 of 2017
Date :17/11/2017

mrn
SH/PM-PN/SAR-4:23.11.2017:3P/6C