



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

Tuesday, the Twenty Eighth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16303 of 2017

1 AANTEXS

2 NELSON P.RAMAMOORTHY

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

STATE REP.BY

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

(CRIME NO.398 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.R.RAJESH, Advocate

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

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

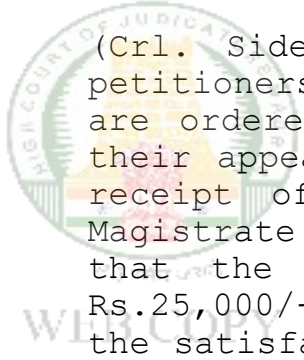
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the offences punishable under Section 323 and 506(ii) of I.P.C., in Crime No.398 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is practicing advocate. Due to land dispute between the petitioners and the defacto complainant on 18.11.2017, the petitioners abused the defacto complainant in filthy language and also attacked him with bricks, and thereby, the defacto complainant sustained injuries and was admitted in the hospital. Hence, the defacto complainant lodged a complaint against the petitioners before the respondent police. This is the case and case in counter.

3.The learned counsel for the petitioners submitted that the petitioners did not commit any offence as alleged by the prosecution.

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



(Crl. Side), 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.II, Kuzhithurai, Kanyakumari District, on condition that the petitioners shall execute a own bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) 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, 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 not abscond either during investigation or trial;

(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/-
28/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI, KANYAKUMARI DISTRICT.
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 PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.RAJESH Advocate SR.No.35248

ORDER IN
CRL OP (MD) No.16303 of 2017
Date : 28/11/2017