



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

Thursday, the Seventh day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16819 of 2017

1 SURESH BABU
2 SUBASH
3 PRAKASH
4 SUNIL

... PETITIONERS / ACCUSED Nos.1 to 4

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
THIRUVATTAR POLICE STATION,
KANYAKUMARI DISTRICT
(CRIME NO.354 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.S.BALAMURUGAN 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 Accused Nos.1 to 4, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323, 506(i) of I.P.C. in Crime No.354 of 2017, on the file of the respondent police, seek anticipatory bail.

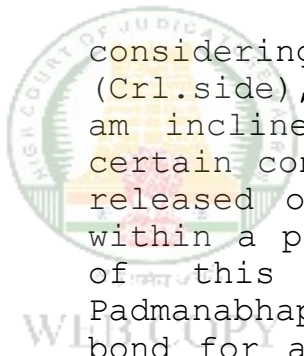
2.The case of the prosecution is that on 29.11.2017, due to the previous enmity, the petitioners attacked the defacto complainant and thereby he sustained injuries and admitted in the hospital. Hence, he gave a complaint before the respondent police.

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

4. The learned Government Advocate (Crl.side) appearing for the State submitted that already the defacto complainant has lodged a complaint against the petitioners. The petitioners without any guilty feeling again attacked the defacto complainant, thereby he sustained injuries and gave the complaint. However, the injured person has been discharged from the hospital.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the facts and circumstances of the case and also



considering the submission made by the learned Government Advocate (Crl.side), that the injured person discharged from the hospital, 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, Padmanabhapuram, 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 10.00 a.m. for a period of four weeks, 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 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/-

07/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
PADMANABHAPURAM, KANAYAKUMARI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANAYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE SUB INSPECTOR OF POLICE,
THIRUVATTAR POLICE STATION, KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.S.BALAMURUGAN Advocate SR.No.35753

JAM/13.12.17/PN/ SAR 4/ 2P-6C