



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

Friday, the Fifteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17293 of 2017

1 VINS JOYAL
2 GODWIN JOYAL

... PETITIONERS / ACCUSED NO.2&3

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO. 402/2017.

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.N.DILIP KUMAR Advocate

For Respondent : MR.K.ANBARASAN Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

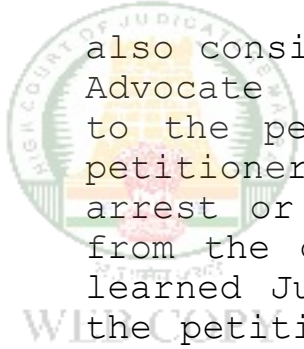
The petitioners, who are arrayed as Accused Nos.2 & 3, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.402 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are belonged to one Church. There was a dispute in the administration of the Church, thereby they entered into a wordy quarrel. At that time the petitioners pushed down the defacto complainant and pressed his neck, thereby he sustained injuries. Hence the defacto complainant has lodged a complainant before the respondent police.

3.The learned counsel appearing for the petitioner would submit that the petitioners did not committed any offence as alleged by the prosecution. No one was injured in this case.

4.The learned Government Advocate (Criminal side) appearing for the state confirmed that there is no one was injured.

5.Considering the facts and circumstances of the case and



also considering the submissions made by the learned Government Advocate (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 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.I,Kulithurai, 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 each 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 appear before the respondent police daily at 10.00 a.m., for a period of two weeks, thereafter as and when required for interrogation;

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

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

(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/-
15/12/2017

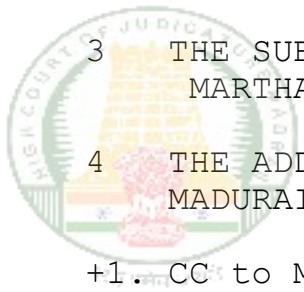
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I, KUZHITHURAI

<https://hcservices.courts.gov.in/hcservices>
2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL



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

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

+1. CC to M/S.N.DILIP KUMAR Advocate SR.No.36288

GJM/PM/PN/SAR-I-21.12.2017-3P-6C

ORDER

IN

CRL OP(MD) No.17293 of 2017

Date :15/12/2017