



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

Monday, the Tenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.4139 of 2017

1 M.S.JANEER

2 VINOTH@ABDUR RAHIM

... PETITIONER/ ACCUSED NOS.1 AND 2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

KOTTAR POLICE STATION,

KANYAKUMARI DISTRICT

(IN CRIME NO.155 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioners: M/S.S.M.A.JINNAH Advocate

For Respondent : M/S S.PRABHA, Govt. Advocate (Crl. Side)

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

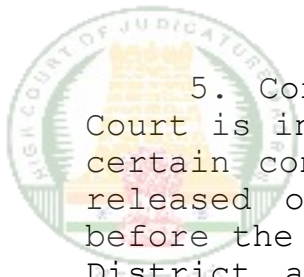
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 in Crime No.155 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 307 and 506(ii) IPC and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The learned counsel for the petitioners submitted that due to previous enmity, the petitioners along with the other accused are alleged to have waylaid the defacto complainant, abused him in filthy language and also attacked him with aruval. He would further submit that in fact, the defacto complainant has attacked one Syed Ali and he was hospitalized on 19.03.2017 and he gave a complaint against the defacto complainant and the same is still pending. As a counter-blast to the said complaint, the defacto complainant has lodged the present false complaint against the petitioners. The petitioners have not committed any offence as alleged in the complaint.

4.The learned Government Advocate appearing for the respondent / Police submitted that A1 and A2 has already been arrested in this case and the injured has been discharged from the hospital and that the investigation is pending.



5. Considering the facts and circumstances of the case, this Court is 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 before the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District and on each 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
10/04/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL.

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

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

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

+1. CC to M/S.S.M.A.JINNAH Advocate SR.No.19872

ORDER
IN
CRL OP(MD) No.4139 of 2017
Date :10/04/2017

MS/PM.PN/SAR.2/13.04.2017/2P.6C