



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

Monday, the Thirtieth day of January Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.439 of 2017

1 AJITH MELBOURN,
2 THANGARAJ,
3 SUJIN,

... PETITIONER/ ACCUSED NO.1 TO 3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
COLOCHAL POLICE STATION, COLOCHAL POST,
KANYAKUMARI DISTRICT.
(CRIME NO.10 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.RAJKUMAR SEN Advocate

For Respondent : P.KANDASAMY Govt. Advocate (Crl. Side)

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

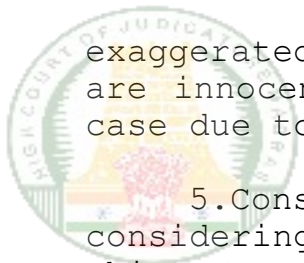
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, in Crime No.10 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, 394(b), 323 & 506(ii) of I.P.C 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 Government Advocate(Crl. Side) on instructions submitted that there are totally three accused in this case, who are the petitioners herein and they have waylaid the defacto complainant armed with wooden stick and knife and caused injuries. He further submitted that the injured was discharged from the hospital.

4. The learned counsel for the petitioners submitted that the first petitioner and the defacto complainant are neighbours and the father of the defacto complainant and the first petitioner are working in M.M.Higher Secondary School and school service dispute is



exaggerated as non-bailable offence in this case and the petitioners are innocent persons and they have been falsely implicated in this case due to previous motive.

5. Considering the facts and circumstances of the case and also considering the fact that injured was discharged from the hospital, 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, Eraniel, Kanyakumari District and on each of them 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 report before the respondent police daily at 10.30 a.m., for a period of three weeks. 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/-
30/01/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ERANIEL, KANYAKUMARI DISTRICT
2. -DO-THROUGH CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT @ NAGERCOIL
3. THE INSPECTOR OF POLICE
COLOCHAL POST, KANYAKUMARI DISTRICT
4. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

pm
js/sv/mms/SAR.2/03.02.2017/2P-5C

ORDER
IN
CRL OP(MD) No.439 of 2017
Date : 30/01/2017