



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

Monday, the Seventeenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.4510 of 2017

1 NAZEER
2 SYEDALI

...PETITIONERS/ACCUSED RANK NOT KNOWN
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 K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

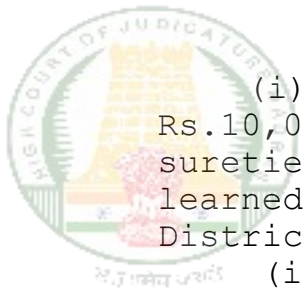
ORDER : The Court Made the following order :-

The first petitioner was arrested on 29.03.2017 and the second petitioner was arrested on 30.03.2017 for the alleged offences punishable under Sections 341, 294 (b), 307, 506(2) of I.P.C., in Crime No.155 of 2017 on the file of the respondent police, seek bail.

2. The case of the petitioners is that the police has falsely registered a case against them, based on the complaint dated 29.03.2017 for the alleged offence committed on 19.03.2017. In fact, the de-facto complainant was the aggressor, who attacked the second petitioner, for which the second petitioner was admitted in the hospital and treated as in-patient for four days and instead of register a case against those assailants, the police has booked a case against these petitioners belatedly.

3. The learned Government Advocate (Crl.side) submits that due to the alertness of the de-facto complainant, he did not sustain injury, though there was a murderous attack. The records reveals that there is no injury sustained by the complainant.

4. Considering the same and also considering the fact that there is a rivalry between the de-facto complainant and this petitioner, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:



(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District.

(ii) the first petitioner shall stay at Madurai and report before the Anna Nagar Police Station, Madurai daily at 10.00 a.m. until further orders and the second petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders;

(iii) The petitioners shall not abscond either during investigation or trial;

(iv) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Magistrate/Trial Court.

sd/-

17/04/2017

/ 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 OFFICER INCHARGE, SUB JAIL, NAGERCOIL.
- 4.THE INSPECTOR OF POLICE,
KOTTAR POLICE STATION,KANYAKUMARI DISTRICT.
- 5.THE INSPECTOR OF POLICE,
ANNA NAGER POLICE STATION, MADURAI.
- 6.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.A.JINNAH Advocate SR.No.20242

ORDER

IN

CRL OP(MD) No.4510 of 2017

Date :17/04/2017