



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

Thursday, the Eleventh day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) No.5757 of 2017

SUMAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ERANIAL POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO. 220/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. S.SATHEESH KUMAR Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.220 of 2017, on the file of the respondent police for offence under Sections 147, 294(b), 323 and 506(ii) of I.P.C., the petitioner is now before this Court seeking Anticipatory Bail.

2. The case of the prosecution is that on 05.05.2017 at about 11.45 p.m., the petitioner along with the other accused had broken a liquor bottles in front of the house of de-facto complainant and when the same was questioned, the petitioner attacked the de-facto complainant with hands.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that the injured was admitted in the hospital only one day and thereafter, he has been discharged from the hospital.

5. Considering the nature of the offence and also considering the fact that the injured has been discharged from the hospital, the petitioner is 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 cum Principal District Munsif, Eraniel on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of one month.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-

11/05/2017

/ TRUE COPY /

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

TO

- 1 THE LEARNED JUDICIAL MAGISTRATE CUM PRINCIPAL DISTRICT MUNSIF, ERANIEL.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
ERANIAL POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.S.Satheesh Kumar, Advocate, in SR No. 56442

ORDER

IN

CRL OP(MD) No.5757 of 2017

Date :11/05/2017

MKV-MSA-SAR 4/17.5.2017/2P-6C

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