



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

Monday, the Seventeenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9104 of 2017

1 LINKESHWARAN

2 VELU @ SHANMUGAVEL

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ETHAMOZHI POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO. 104 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.LENIN KUMAR Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

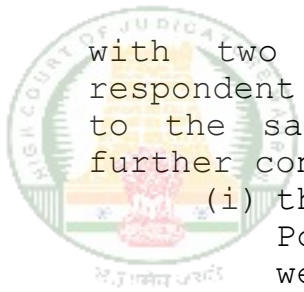
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 452, 294(b), 323, 324, 379(NP) and 506(ii) IPC, in Crime No.104 of 2017 on the file of the respondent police and hence, seek anticipatory bail.

2.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

3.It is submitted by the learned Additional Public Prosecutor that the injured has already been discharged from the hospital.

4.Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.111, Nagercoil, on condition that each of the petitioners shall execute 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 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 report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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 as if the conditions have been imposed and the petitioners 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/-

17/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
ETHAMOZHI POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.26657

ORDER

IN

CRL OP(MD) No.9104 of 2017

Date :17/07/2017

MKV-PM-PN-SAR 1/18.7.2017/2P-6C