



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

Monday, the Second day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.4990 of 2018

1 R. RAJESH @ SHIJI
2 R. RAHUL @ AJISH
3 S.K.SAJITH

... PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE,
KADAIYALMODU POLICE STATION,
KANYAKUMARI DISTRICT.
CR.NO.9 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.SAJIBINO Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABU,
Government 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, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 332, 506(ii), 307 IPC and Section 3(1) TNPPDL Act in Crime No.9 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to some dispute, the petitioner had beaten the defacto complainant and scolded in filthy language. Therefore, the defacto complainant lodged a complaint and the respondent police registered a case in Crime No.9 of 2018, on the file of the Inspector of Police, Kadaiyalmodu Police Station, Kanyakumari District.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any of the offences as alleged by the prosecution.



4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured has already been discharged from the hospital and the investigation is still 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.I, Kuzhithurai, Kanyakumari District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties 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. for a period of one week and thereafter as and when required for interrogation. The petitioners shall comply with the conditions 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 is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
02/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.SAJIBINO Advocate SR.No.5184

ORDER
IN
CRL OP(MD) No.4990 of 2018
Date :02/04/2018