



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7622 of 2018

1 ANTHONY @ ANTO DIKSAN DAVATTA
2 BRITTO @ JOHN BRITTO
3 NEWTON @ ISAIK NEWTON

... PETITIONERS/ ACCUSED 1 TO 3

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.110/2018

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.S.BALAMURUGAN Advocate

For Respondent : M/S.M.ASOKAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

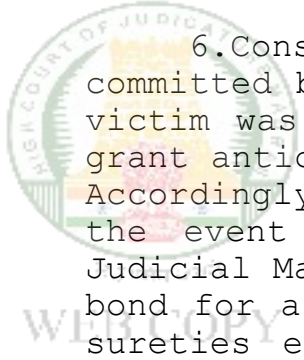
The petitioners, who are arrayed as accused Nos.1 to 3, in Crime No.110 of 2018 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002 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 allegation against the petitioners is that on 29.04.2018, the petitioners attacked the complainant with weapons and caused injuries.

4.On the side of the petitioners, it is stated that there is a counter case against the complainant and both sides were admitted in the hospital and subsequently, were discharged from the hospital. It is further stated that the petitioners are innocents and hence prayed that the petitioners may be released on anticipatory bail.

5.The learned Government Advocate (Crl. Side) admitted that the victim was already discharged from the hospital on 02.05.2018.



6. Considering the nature of the offence alleged to have been committed by the petitioners and also considering the fact that the victim 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 No.I, Nagercoil, 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 appear before the Judicial Magistrate No.I, Nagercoil, once in a week i.e on the first working of every week at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
03/05/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.BALAMURUGAN Advocate SR.No.8192

ORDER
IN
CRL OP(MD) No.7622 of 2018
Date :03/05/2018

MS/PN/ASVM/08.05.2018/2P.6C