



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

Thursday, the Thirteenth day of December Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22066 of 2018

1.AKILAN
2.KOMU
3.SANKAR

... PETITIONERS / ACCUSED NOS.2,1 & 4

Vs

THE STATE THROUGH,
THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT.

(IN CRIME NO.461 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.P.MUTHUPANDI Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,148,294(b), 341 and 506(ii) of IPC in Cr.No.461 of 2018 seek anticipatory bail.

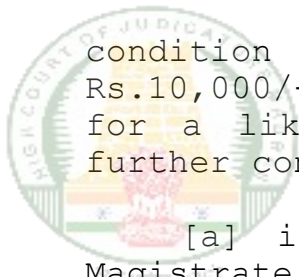
2. The case of the prosecution is that petitioners along with others abused the defacto complainant in filthy language and threatened him with dire consequences.

3. The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence and that the injured has also treated as out patient.

4. The learned Additional Public Prosecutor would submit that injured has also treated as out patient.

5. Taking into consideration the facts of the case and the submissions by learned counsels and that the injured has been injured has also treated as out patient, this Court inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Seranmahadevi, Tirunelveli District on



condition that 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police as and when required for interrogation

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/12/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE,
SERANMAHADEVI, TIRUNELVELI DISTRICT.
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
 - 3.THE INSPECTOR OF POLICE
SUTHAMALLI POLICE STATION, TIRUNELVELI DISTRICT.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.P.MUTHUPANDI Advocate SR.No.23394.

ORDER
IN
CRL OP(MD) No.22066 of 2018
Date :13/12/2018

RAM/VR MMS/SAR 2/17.12.2018/2P/6C