



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

Tuesday, the Thirteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20224 of 2018

1 SUBASH @ SUBASH CHANDRABOSE
2 SANKARAMOORTHY
3 KANNAN

... PETITIONERS / ACCUSED No. 1 to 3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KARIVALAMVANTHANALLUR POLICE STATION,
KARIVALAMVANTHANALLUR,
SANKARANKOVIL TALUK.,
TIRUNELVELI DT.,
(CRIME NO. 333 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.T.INDRACHITHU Advocate

For Respondent : S.CHANDRA SEKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323 and 506(ii) of IPC, in Crime No.333 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner herein who was working as a driver in the spinning mill and removed from service. Thereafter, the defacto complainant has replaced the first petitioner as driver and never paid the bonus. Aggrieved over the same, the other petitioners had accompanied with the first petitioners claiming that he is entitled for the bonus and attacked him.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged occurrence.



4. The learned Additional Public Prosecutor for the respondent police submitted that the injured has been discharged from the hospital.

5. Taking into consideration the facts of the case, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarankovil, 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 daily at 10.00 am for a period of two weeks and thereafter, 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/-
13/11/2018

/ TRUE COPY /

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

TO

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

1 THE JUDICIAL MAGISTRATE
SANKARAN KOVIL, TRIUNELVELI DISTRICT



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
KARIVALAMVANTHANALLUR POLICE STATION,
KARIVALAMVANTHANALLUR, SANKARANKOVIL TALUK,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.T.INDRACHITHU Advocate SR.No.21458

ORDER
IN
CRL OP(MD) No.20224 of 2018
Date :13/11/2018

MSI/MMS/SAR-I/14.11.2018-3P/6C