



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

Friday, the Twenty First day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22668 of 2018

1 JOHNSON
2 MUTHUKUMAR

... PETITIONERS / ACCUSED No. 1 & 2

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT
(CRIME NO. 724 OF 2014)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.C.T.PERUMAL Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 447, 294(b), 379 and 506(ii) I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.724 of 2014, seek anticipatory bail.

2. The petitioners were earlier granted anticipatory bail. But, they were unable to execute the sureties within the stipulated time. Hence, they have come forward with this petition.

3. The contention of the petitioners is that they have made arrangements for the sureties. Hence, anticipatory bail may be granted to them.

4. Heard the learned Government Advocate (Crl.Side) appearing for the respondent would submit that in this case, charge-sheet has been filed.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the



petitioners, with certain conditions:-

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, Eraniel and on their executing 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 learned Magistrate concerned and on further condition that

[a] if the petitioners failed 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 petitioner 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/-
21/12/2018

/ TRUE COPY /

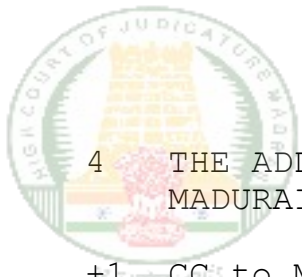
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
ERANIEL, KANIYAKUMARI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANIYAKUMARI DISTRICT AT NAGERCOIL

3 THE INSPECTOR OF POLICE
<https://hcservices.ecourts.gov.in/hcservices/>
ERANIEL POLICE STATION,
KANIYAKUMARI DISTRICT.



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

+1...CC to MR.C.T.PERUMAL Advocate SR.No.23866

WEB COPY

ORDER

IN

CRL OP (MD) No.22668 of 2018

Date :21/12/2018

MSI/VR/SAR-I/28.12.2018-3P/6C