



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22845 of 2018

1 AJIN

2 DATHI

... PETITIONERS / ACCUSED Nos. 1 & 2

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANIYAKUMARI DISTRICT.
(CRIME NO. 155 of 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.M.MAHARAJA Advocate

For Respondent : MR.R.ANANDHA RAJ, Govt. Advocate

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 341, 294(b), 324, 427 and 506(ii) IPC in Cr.No.155 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have waylaid the Corporation Bus and broken the window glass by throwing stones and also abused the defacto complainant, who is the driver of the bus, in filthy language.

3.The learned counsel for the petitioner would submit that the petitioner had nothing to do with the alleged offence and due to previous motive the petitioner has been falsely implicated in this case.

4.Heard the learned Government Advocate (Crl.Side) appearing for the respondent police.

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

5.Considering the facts and circumstances of the case and also



taking into consideration the fact that no one was injured in this occurrence, 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 before the learned Judicial Magistrate No.1, Pathpanamapuram and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a likesum 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 deposit a sum of Rs.1,500/- (Rupees Thousand Five Hundred only) to the credit of Cr.No.155 of 2018 before the Judicial Magistrate No.1, Pathpanamapuram, without prejudice to his defence before the trial Court.

[c] the petitioner shall report before the respondent police as and when required for interrogation

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 petitioner 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]**.

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

sd/-
27/12/2018

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

TO

1 THE JUDICIAL MAGISTRATE NO I
PATHPANAMAPURAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANIYAKUMARI DISTRICT AT NAGERCOIL



3

3 THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANIYAKUMARI DISTRICT.

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

+1. CC to MR.M.MAHARAJA Advocate SR.No.24110

ORDER
IN
CRL OP (MD) No.22845 of 2018
Date :27/12/2018

MSI/JC/SAR-IV/02.01.2019-3P/6C