



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

Monday, the Tenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15675 of 2018

1 SURESH
2 SAHAYA CHANDRAN
3 JOHN

... PETITIONERS / ACCUSED NO.1,2,3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MANAVALAKURICHI POLICE STATION,
KANYAKUMARI DISTRICT.
(CR.NO.105 OF 2018)

... RESPONDENT / COMPLAINANT

JENKIN RUSO

... PETITIONER/INTERVENER/
DEFACTO COMPLAINANT

For Petitioner : M/S.R.RAJESH Advocate

For Respondent : Mr.M.ASOKAN, Govt. Advocate (Crl. Side)

For Intervener : Mr.R.J.KARTHICK, Advocate

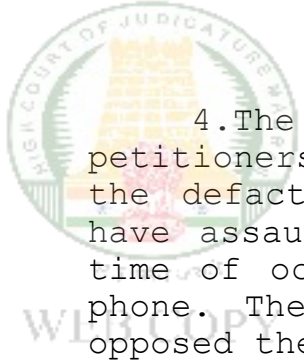
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 147, 294(b), 323, 324, 506(ii), 427 and 379 I.P.C., in Crime No.105 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 18.08.2018, the defacto complainant and his driver were going by his vehicle, at that time, some wordy quarrel between them. Due to that, the petitioners assaulted the defacto complainant with wooden log and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents. They did not commit any offence as alleged by the prosecution. It is a case of case in counter. Hence, he prays for anticipatory bail.



4.The learned counsel for the intervener would submit that the petitioners are rowdy element in that locality and they have damaged the defacto complainant's car also. Further, the accused persons have assaulted the defacto complainant and his driver. During the time of occurrence, they looted a sum of Rs.50,000/- and mobile phone. The same is not recovered till now. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that during the time of occurrence, the petitioners damaged the defacto complainant's car and looted a sum of Rs.50,000/-. He further submitted that the investigation is pending.

6.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. The petitioners are directed to deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) to the credit of Crime No.105 of 2018 before the learned Judicial Magistrate, Valliyur, Tirunelveli District. On such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Valliyoor, Tirunelveli District 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 the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions 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 shall stand dismissed.

sd/-
10/09/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYUR, TIRUNELVELI DISTRICT.

2 -DO- THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



3 THE INSPECTOR OF POLICE,
MANAVALAKURICHI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.R.RAJESH Advocate SR.No.17251
+1. C.C. to M/S.R.J.KARTHICK, Advocate SR.No. 17302

ORDER
IN
CRL OP (MD) No.15675 of 2018
Date :10/09/2018

JM/VR MMS/SAR 4/14.09.2018/3P/7C