



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

Wednesday, the Thirtieth day of January Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD) No.1397 of 2019

1 PRABHU

2 MANICKAM @ MANICKARAJ

... PETITIONERS/ ACCUSED 1 & 2

Vs

THE STATE REP.BY

THE SUB INSPECTOR OF POLICE,  
SUCHINDRUM POLICE STATION,  
KANYAKUMARI DISTRICT.

Crime No.26 of 2019

... RESPONDENT/ COMPLAINANT

For Petitioners : Mr.K.P.NARAYANAKUMAR 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 :-

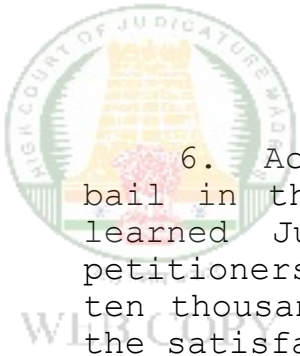
The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 354 and 506(i) of IPC in Cr.No.26 of 2019 seek anticipatory bail.

2. The case of the prosecution is that the second accused in this case exhibited his private part to the defacto complainant and when the same was questioned the petitioners herein abused the defacto complainant and threatened 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.

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

5. Taking into consideration the facts of the case and the submissions by learned counsels, 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 No.III, Nagercoil 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 10.30 a.m and 5.30 p.m until further orders

[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/-  
30/01/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO III,  
NAGERCOIL.

2.THE CHIEF JUDICIAL MAGISTRATE,  
NAGERCOIL DISTRICT AT NAGERCOIL.



3. THE SUB INSPECTOR OF POLICE,  
SUCHINDRUM POLICE STATION,  
KANYAKUMARI DISTRICT.

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

+1. CC to Mr.K.P.NARAYANAKUMAR Advocate SR.No.1896

ORDER  
IN  
CRL OP (MD) No.1397 of 2019  
Date :30/01/2019

TK/PN/SAR-1/04.02.2019/3P/6C