

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

Date : 09/08/2019

PRESENT

**The Hon'ble Mr.Justice P.RAJAMANICKAM**

**CRL OP(MD) . No.10441 of 2019**

1. Jeyakumar
2. Jagadeesh
3. Kannan

... Petitioners/Accused No.1,3 & 4

Vs

State rep.by,  
The Inspector of Police,  
Eraniel Police Station,  
Kannyakumari District.  
In Crime No.315 of 2019.

... Respondent/Complainant

For Petitioner : M/s.K.Raghul Priyan,  
Advocate.

For Respondent : Mrs.M.Anantha Devi,  
Government Advocate (Crl.Side)

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

PRAYER :-

For anticipatory bail in crime number 315/2019 on the file of the respondent police.

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 294(b), 324 and 506(ii) of IPC in Crime No.315 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the matter has been compromised and to record the said compromise, already the petitioners have filed Crl.O.P.(MD). No.10059 of 2019 and the same is pending. He also filed a copy of the compromise memo. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police has fairly conceded that the matter has been compromised and the petitioners have filed Crl.O.P.(MD).No.10059 of 2019 and the same is pending.

5.Considering the aforesaid facts and also the fact that the matter has been compromised between the parties, this Court is inclined to grant anticipatory bail to the petitioners by imposing certain conditions.

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 Judicial Magistrate Court, Eraniel, Kanyakumari 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

09/08/2019

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

TO

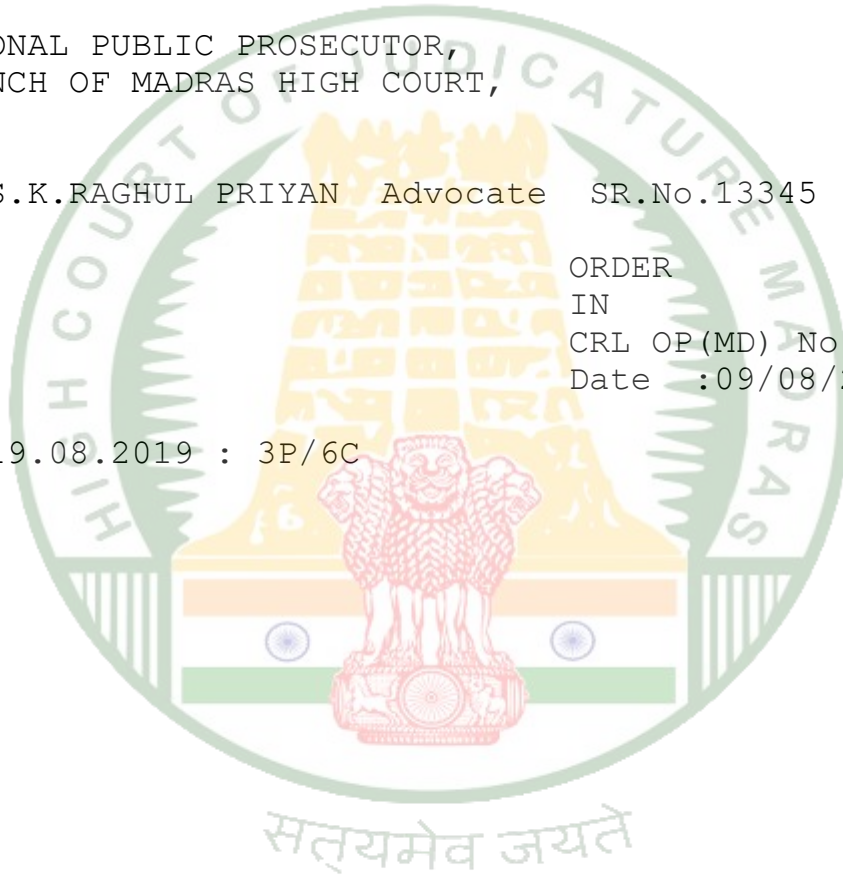
1. THE JUDICIAL MAGISTRATE, ERANIEL,  
KANNYAKUMARI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANNYAKUMARI DISTRICT AT NAGERCOIL
3. THE INSPECTOR OF POLICE  
ERANIEL POLICE STATION, KANNYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.K.RAGHUL PRIYAN Advocate SR.No.13345

ORDER  
IN  
CRL OP(MD) No.10441 of 2019  
Date : 09/08/2019

VSG

PK/PN/SAR-4/19.08.2019 : 3P/6C



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