



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.762 of 2020

1. S.ARUN
2. D.SUNIL KUMAR
3. R.RAMESH
4. T.THANISH
5. P.AJITH

... PETITIONERS/ACCUSED 1 TO 5

VS

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO.11 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.J.John Jayakumar,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2020 on the file of the Respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 332 and 506(ii) of I.P.C., in Crime No.11 of 2020 on the file of the Respondent police, seek anticipatory bail.

<https://hcdresfcdlre.gov.in/hcdresfcdlre/>



3. The defacto complainant is none other than a Head Constable. It appears that the petitioners were engaged in a quarrel with one Rajareegan. On hearing complaint from Rajareegan, the defacto complainant had gone along with another policeman to the spot. The policemen were assaulted and also kicked.

4. I took a very serious view of the matter. I made it clear to the learned counsel for the petitioner that persons in uniform will have to be shown due respect and regard and that in this case, since their honour has been violated, the petitioners will have to make amends.

5. The learned counsel for the petitioner pleaded that the petitioners were not aware that the defacto complainant was a Head Constable, since he was not wearing uniform.

6. I am unable to accept the said submission. There upon the learned counsel for the petitioner stated that the petitioners 1, 4 and 5 will go to the respondent police station and express their unconditional apologies to the defacto complainant.

7. Today (22.01.2020), the said three accused went to the respondent police station and had expressed their apologies. The petitioners 1, 4 and 5 are young persons. I am of the view that the arrest will ruin their future. Severely warning them to be careful in future, I grant anticipatory bail to the petitioners.

8. In view of the above, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate at Eraniel, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner 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.

9. 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/-
22/01/2020

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/ /2020

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



TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI AT NAGERCOIL.

3 THE SUB INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANNIYAKUMARI DISTRICT.

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

+1 CC to M/s.J.JOHN JAYAKUMAR, Advocate (SR-1201[I] dated
23/01/2020)

ORDER

IN

CRL OP(MD) No.762 of 2020

Date :22/01/2020

PNN

JM/VR/SAR 2/30.01.2020/3P/6C