



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

Date : 12/03/2020

WEB COPY

PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4481 of 2020

(*)1.Liyons Rajan @ Leons Rajan

2.Jaine @ Jainy

3.Jino @ J.Sijivin Gino

4.Leela @ Leelabai

... Petitioners/
Accused Rank Nos.1 to 4

Vs

State rep. through
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.44 of 2020).

... Respondent/Complainant

For Petitioners : M/s.S.J.Chakkkaravarthy, Advocate
appeared on 12.03.2020

: Mr.G.Aravinthan, Advocate
appeared on 16.10.2020

For Respondent : Mr.K.Suyambulinga Bharathi,
Govt Advocate (Crl.Side) appeared on 12.03.2020

: Mr.R.Erottuchamy,
Govt.Advocate (Crl.Side) appeared on 16.10.2020

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

For Anticipatory Bail in Crime No.44 of 2020 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
147, 148, 294(b), 323, 324 and 506(ii) of IPC seek anticipatory bail.



2. Due to previous enmity regarding cable TV business there was a wordy altercation later ended in exchange of blows.

3. According to the prosecution A3 attacked the defacto complainant with knife and the other accused persons have attacked the defacto complainant with stones, sticks and hand. Injured has taken treatment as inpatient for a day and got discharged on 29.02.2020.

4. The petitioners are members of one family and due to previous enmity attacked the defacto complainant causing simple injury.

5. Considering the nature of offence and the injury caused, this Court is inclined to grant anticipatory bail to the petitioners on the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Padmanabhapuram, Kanyakumari District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall stay at Tirunelveli and report before the Palayamkottai Police Station daily at 10.30 am for a period of 15 days

(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**



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

sd/-
12/03/2020

**(*) AMENDED AS PER THE ORDER OF THIS
HON'BLE COURT DATED 16.10.2020 IN
CRL MP(MD) 5241/2020 IN
CRL OP(MD) 4481/2020 BY GKIJ
/ TRUE COPY /**

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

(*) TO BE SUBSTITUTED WITH THE ORDER DATED 12/03/2020 ALREADY DESPATCHED.

1. THE JUDICIAL MAGISTRATE NO.II,
PADMANABHAPURAM,
KANYAKUMARI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
THIRUVATTAR POLICE STATION,
KANYAKUMARI DISTRICT.
4. THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.J.CHAKKARAVARTHY, Advocate (SR-5194[I] dated
12/03/2020)

ORDER
IN
CRL OP(MD) No.4481 of 2020
Date :12/03/2020

AAV
SRS/ JC/ SAR-III/ 16.03.2020/ 3P/7C
KSA
TK/PN/SAR.3/23.10.2020/3P/7C