



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

Date : 11/06/2020

PRESENT

WEB COPY

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

CRL OP(MD) . No.6001 of 2020

1. Kervin
2. Augastin
3. Goodwin
4. Crispin

... Petitioners/Accused No.1 to 4

Vs

The State rep. by
The Inspector of Police,
Thiruchendur Taluk Police Station,
Thiruchendur, Thoothukudi District.
Cr.No.172 of 2020..

... Respondent/Complainant

For Petitioner : M/s. M.Saravanan,
Advocate.

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

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

PRAYER :-

To enlarge the petitioners on bail in the event of his arrest
in Cr.No.172 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 294(b),
324 and 506(ii) of I.P.C., in Crime No.172 of 2020 on the file of
the respondent police, seek anticipatory bail.

3.Even before the commencement of the submissions, the learned
counsel for the petitioners fairly accepted the suppression on the
part of the petitioners herein. Earlier the petitioners have moved
this Court for anticipatory bail. It appears that the said petition
suffered dismissal. The primary overt act is only against the first
petitioner. He inflicted cut injury on the defacto complainant's
ear. Therefore, i am not inclined to grant anticipatory bail to the
petitioners. The first petitioner shall surrender before the



respondent police and seek regular bail. No anticipatory bail petition will be entertained for the first petitioner.

4.The petitioners Nos.2 to 4 through counsel come forward to take a Demand Draft for a sum of Rs.10,000/- (Rupees Ten Thousand only) favouring the defacto complainant and enclose the same along with surrender petition. The Court below shall arrange to hand over the same to the defacto complainant directly through the respondent. This is of course without prejudice to the defence of the petitioners Nos.2 to 4 in the trial.

5.Recording the said undertaking given by the petitioners Nos.2 to 4, I am inclined to grant anticipatory bail to the petitioners Nos.2 to 4 with certain conditions. Accordingly, petitioners Nos.2 to 4 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thiruchendur, 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 Nos.2 to 4 shall appear before the respondent police as and when required for interrogation. The petitioners Nos.2 to 4 shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6.The petitioners Nos.2 to 4 shall appear before the concerned Magistrate within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

7.This Criminal Original Petition is dismissed insofar as the first petitioner is concerned.

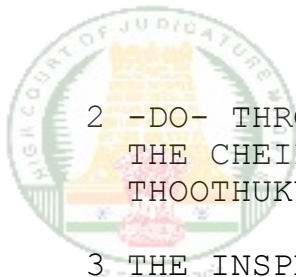
sd/-
11/06/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO
1 THE JUDICIAL MAGISTRATE
THIRUCHENDUR,
THOOTHUKUDI DISTRICT.



- 2 -DO- THRO
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUCHENDUR TALUK POLICE STATION,
THIRUCHENDUR,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6001 of 2020
Date :11/06/2020

PD/JC/SAR 2/17.06.2020/3P/5C