



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

Date : 22/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.5197 of 2021

1. Soundhar Rajan
2. Varghese
3. Nayagan
4. Puthiran
5. Thilak
6. Prashanth
7. Daniel
8. Johnson
9. Ajay
10. Michael
11. Manoj
12. Vinod
13. Liyon
14. Milo
15. Hercules

... Petitioners/A1 to 15

Vs

The State Represented by
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District
(Crime No. 134/2021).

... Respondent/Complainant

Silvasster ...Intervene Petitioner/Defacto Complainant

For Petitioner : M/s.Robert Chandrakumar.I.,
Advocate.

For Respondent : Mr.M.Ganesan,
Government Advocate (Crl.Side)

For Intervenor : Mr.F.Deepak

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

PRAYER :-

For Anticipatory Bail in Crime No.134/2021 on the file of the

<https://hccs.courts.mil.res.in/Reserve>



ORDER : The Court made the following order :-

The petitioners/A1 to A15, 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.The case of the prosecution is that in group clash between two parties, some persons were severely injured. Hence, the complaint

3.The learned counsel for the petitioners would submit that a counter case has been registered against the de-facto complainant in Crime No.133 of 2021 and all the accused are in the counter case had already been released on anticipatory bail. He would also submit that the injured has been discharged from the hospital.

4.The learned Government Advocate(Crl.Side) would submit that the injured has been discharged from the hospital and that a case and counter has been registered in Cr.No.133 of 2021 against the de-facto complainant and others.

5.Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injured got discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 Court No.1, 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 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 report before the respondent police daily at 10.30 am., 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 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]***; and;

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

sd/-
22/04/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

ORDER
IN
CRL OP(MD) No.5197 of 2021
Date :22/04/2021

AMS/PN/SAR-3/26/04/2021/3P/5C