



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.20959 of 2021

1. Surendran
2. Sutheesh

... Petitioners/Accused 1& 2

Vs

The State rep.by
The Sub Inspector of Police,
Kaliyakavilai Police Station,
Kanniyakumari District.
Cr.No. 552 of 2021.

... Respondent/Complainant

For Petitioner : M/s.NARAYANAKUMAR.K.P., Advocate.

For Respondent : Mr.K.SANJAY GANDHI, Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.552 of 2021 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), 323 and 506(1) of IPC, in Crime No.552 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioners abused the defacto complainant in filthy language, attacked him with sticks and caused injuries to him. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are now under treatment and a case in counter has been registered against the defacto complainant.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured has been discharged from the hospital and there is no previous case pending against the petitioners.

5.Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital,



this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate-I, Kuzhithurai, 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 the petitioners shall appear before the respondent police daily at 10.30 a.m, after discharging from the hospital. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
29/12/2021

/ TRUE COPY /

/ /2022
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 NO.I, KUZHITHURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE SUB INSPECTOR OF POLICE,
KALIYAKAVILAI POLICE STATION,
KANNYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.NARAYANAKUMAR.K.P. Advocate SR.No.9839

ORDER

IN

CRL OP(MD) No.20959 of 2021

Date : 29/12/2021

SA/CN/SAR.3/03.01.2022/2P/6C