



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.128 of 2022

1. Francis Prabhu
2. Sahaya Sunil
3. Antony Adimai
4. Billclinton
5. Denmark Lenin
6. Vijayan
7. Salder
8. Aeron @ Jeron

... Petitioners/Accused 1 to 8

Vs.

State rep.by
The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
(Crime No.516 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Lenin Kumar T, Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

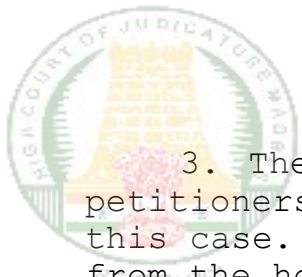
PRAYER :-

For Anticipatory Bail in Crime No.516 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 324 and 506(ii) I.P.C, in Crime No.516 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 25.12.2021, at about 05.45 pm., there was a wordy quarrel between the defacto complainant and the petitioners, due to which, the petitioners abused the defacto complainant using filthy language and attacked him with wooden log and also threatened him with dire consequences. Hence the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that the injured has been discharged from the hospital.

WEB COPY

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that injured in this case has been discharged from the hospital on 02.01.2022. He further submitted that the petitioners 1 to 3 and 5 to 8 are having one previous case and the fourth petitioner is having two previous cases.

5. Considering the previous antecedents of the fourth petitioner/A4, who is having two previous cases, this Court is not inclined to grant anticipatory bail to the fourth petitioner. Hence, this petition is dismissed in so far as the fourth petitioner is concerned.

6. Considering the nature of offence and considering the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 1 to 3 and 5 to 8 with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners 1 to 3 and 5 to 8 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Kuzhithurai, on condition that the petitioners 1 to 3 and 5 to 8 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 learned Magistrate concerned and the petitioners 1 to 3 and 5 to 8 shall appear before the respondent police daily at 10.30 a.m. until further orders.

Sd/-

06/01/2022

/ TRUE COPY /

/ /2022

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

LS

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.II,
KUZHITHURAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.128 of 2022
Date :06/01/2022

SP/VR/SAR III/11/01/2022/3P/5C