



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13393 of 2022

1. Christin John @ Christin Jone,

2. Sathiyavel

... Petitioners/Accused No.1 & 2

Vs

The State rep.by,
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
Crime No.191 of 2022.

... Respondent/Complainant

Jebin Charles

... Intervene petitioner /
Defacto Complainant

For Petitioners : MR.K.P.Narayanakumar,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervener : Mr.S.Selvakumar, Advocate.

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

PRAYER :-For Anticipatory Bail in Crime No.191 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 447, 427, 307 and 506(ii) IPC, in Crime No.191 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that the accused persons belongs to very same political party and that there was a dispute between them within a party and that the accused persons are making frequent trouble. Consequent of the above said enmity on 05.07.2022 at about 12.30 am the accused persons trespassed into the house of the complainant with knife and caused damage to the articles as



well as the vehicle and also assaulted the defacto complainant with deadly weapons. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the defacto complainant sustained grievous injuries and he has taken a treatment in the hospital for 30 days and again taking continuous treatment and the damage caused to the vehicle is worth about Rs.10,000/- and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that it is a dispute between parties due to previous political enmity and that the petitioners have filed an undertaking affidavit that they will not make any trouble to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Padmanabhapuram, 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 learned Magistrate concerned and the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.191 of 2022 and on further condition that the petitioners shall appear before the respondent police daily once in a week i.e., on every Monday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8.If any violation is noticed after filing undertaking affidavit, bail granted by this Court, shall stand automatically cancelled without reference to this Court.

sd/-

29/08/2022

/ TRUE COPY /

08/09/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.II,
PADMANABHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
THIRUVATTAR POLICE STATION, KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. NARAYANAKUMAR.K.P Advocate SR.No.9291.

ORDER

IN

CRL OP(MD) No.13393 of 2022

Date :29/08/2022

TRP

MK/VR/SAR.I/08.09.2022/3P/6C