



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/08/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13927 of 2022

1. Manikandan
2. Gobu @ Gobinkumar
3. Ayyappan
4. Ramesh @ Ayarpadi Ramesh
5. Arul
6. Rathinasamy
7. Sunilkumar

... Petitioners/Accused 1 to 4 & 6 to 8

Vs

The State rep.by,
The Inspector of Police,
Eraniel Police Station, Kanyakumari District.
Crime No.348 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Karthikeyavenkatachalapat, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No.348 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 147, 148, 294(b), 323, 324, 341, 379(NP), 427 and 506(ii) IPC altered into 147, 148, 294(b), 323, 324, 341, 379, 307 and 506 (ii) IPC, in Crime No.348 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 08.07.2022 at 8.45 am when the defacto complainant was returning to his home after election campaign for ward by-election, the petitioners and other accused were found in possession of armed weapons and caused damage to his car and also scolded him in filthy language. Further, five sovereign of gold jewels and Rs.2,000/- was missing. Hence, complaint.

3. On perusal of the records it is seen that this Court by order dated 11.08.2022 granted anticipatory bail to the petitioners



2 to 6 and dismissed against 7th petitioner as not pressed. With regard to the allegation of snatching jewels and money, this Court directed the 1st petitioner to appear before the respondent police and inform about the further development before this Court on 29.08.2022.

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4. Today, the Investigating Officer is present before this Court and submitted that during the course of investigation it was found that there is no evidence to show that the jewellery and money have been stolen by the 1st petitioner.

5. Recording the submission of the Investigating Officer, this Court is inclined to grant anticipatory bail to the 1st petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the 1st petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Eraniel, on condition that the 1st petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the 1st petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The 1st petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The 1st petitioner 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.

sd/-

29/08/2022

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/09/2022

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

TO

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

ORDER

IN

CRL OP(MD) No.13927 of 2022

Date :29/08/2022

TRP

<https://www.mhjudiciary.org.in> IV/12.09.2022/2P/5C