



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

Date : 23/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15046 of 2022

WEB COPY

1. Selvan Xavier Andrew

2. Joseph Ananda Raja

3. Sobhiya Elisabeth

... Petitioners/Accused No.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
Crime No.210 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sakthivel, S.R.,
Advocate.

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

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

PRAYER :-

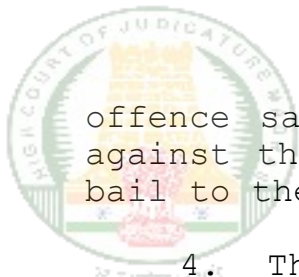
For Anticipatory Bail in Crime No.210 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 427, 323, 324 & 506(ii) of I.P.C, in Crime No.210 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the FIR is that due to the previous enmity over the land, trouble arose between the parties. On the date of occurrence, namely, 29.07.2022, at about 02.30 p.m, when the defacto complainant was riding two wheeler, the accused persons came in another two wheeler and caused assault and also caused damaged to the vehicle. Over the above said occurrence, case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that due to the previous enmity, the



offence said to have taken place and no previous case is against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured was discharged from the hospital and no bad antecedent is reported against the petitioners. But, however, the petitioners caused damaged to the vehicle worth about Rs.10,000/-.

5. The learned counsel for the petitioners would submit that he is ready to pay the above said amount to the credit of Crime No.210 of 2022.

6. Considering the facts and circumstances of the case and also considering the fact that no bad antecedent is reported against the petitioners, the injured was discharged from the hospital and their willingness to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.210 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

8. In such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.III, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. 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.

sd/-
23/08/2022

/ TRUE COPY /

05/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO. III, NAGERCOIL.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI @ NAGERCOIL.

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

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

+1. CC to M/S. SAKTHIVEL S.R. Advocate SR.No. 8850

ORDER

IN

CRL OP(MD) No. 15046 of 2022

Date : 23/08/2022

RK/SVR/SAR-I (05/09/2022) 3P/6C