



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6629 of 2023

S.Krishnan

... Petitioner/Accused No.6

Vs

The State rep.by,
The Inspector of Police,
Koottar Police Station,
Kanyakumari District.
(In Crime No.88/2023)..

... Respondent/Complainant

For Petitioner : Mr.M. Karunanithi, Advocate
for M.Karthikeya Venkitachalapathy,
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.88/2023 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused who apprehends arrest at the hands of
the respondent police for the offences punishable under sections
147,148,294(b),323,324,435 and 506(ii) of IPC in Crime No. 88 of
2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to political motive
the petitioner herein along with other accused waylaid the defacto
complainant, abused and assaulted the defacto complainant and
threatened with dire consequences.

3. Heard both side and perused the materials available on
record including the First Information Report.



4. Taking into consideration of 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 anticipatory bail to the petitioner, with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Nagercoil on condition that the 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall stay at Tirunelveli and report before the Perumalpuram Police Station daily at 10.30 am and 5.30 pm., for a period of two weeks and thereafter before the respondent police daily at 10.30 am., for a period of two weeks.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/04/2023

/ TRUE COPY /

/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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<https://www.mhc.tn.gov.in/judis>



TO

1. THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL.

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

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

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

COPY TO

THE INSPECTOR OF POLICE,
PERUMALPURAM POLICE STATION,
TIRUNELVELI.

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-5654[I]
dated 11/04/2023)

ORDER

IN

CRL OP(MD) No.6629 of 2023

Date :11/04/2023

RK/MMS/SAR-4 (17/04/2023) 4P/7C