



CRL OP(MD). No.6491 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. N.Mohamed Iqbal
2. Nagoor @ Shahul Hameed
3. Rasith @ Kamal Hussain
4. Masthan
5. Sheik Barith
6. Anwar

... Petitioners/ Accused No.7 to 12

Vs

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari, Kanyakumari District.
Crime No.158 of 2024.

... Respondent/Complainant

For Petitioner : M/s.R.M.Arun Swaminathan, Advocate
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.158 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-



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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.158 of 2024, for the offence punishable under Sections 294(b), 352, 353 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the accused have restrained the defacto complainant, who is a Sub Inspector of Police, from discharging his duty. Hence, the case.

3.When the earlier application was taken up for hearing, considering the antecedent of the petitioners, that petition was dismissed.

4.Though this Court has dismissed the earlier application, the respondent police has not secured the accused so far. Apparently, the trial would be pending and therefore, this Court is inclined to grant anticipatory bail to the petitioners.

5.Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate on condition that

(i) the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District.



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(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police daily at 10.30 am and 05.00 pm until further orders for interrogation. They have to co-operate for the investigation. The petitioners shall file an affidavit before the respondent police stating that they will not indulge in any offence in further.

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
19/07/2024

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/07/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL, KANYAKUMARI DISTRICT.

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



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

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

+1 CC to M/S.SPICY LAW FIRM, Advocate (SR-8135[I] dated 19/07/2024)

ORDER
IN

CRL OP(MD) No.6491 of 2024

Date :19/07/2024

RS/GS/SAR-(30.07.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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