

Crl.O.P.No.15495 of 2015**R.SUBBIAH, J.**

Apprehending arrest at the hands of the respondent-police, in respect of the alleged commission of offences punishable under Sections 302, 201 IPC altered into Sections 147, 148, 364, 302 & 201 IPC r/w 120(B) IPC, in Crime No.130 of 2015, the petitioners have approached this Court seeking the relief of anticipatory bail under Section 438 of the Code of Criminal Procedure.

2.The petitioners herein have been arrayed as accused No.2 & 6 respectively in this case. The complaint was lodged by the father of the deceased Jayakumar. The case of the prosecution is that the deceased Jayakumar took some photos of one Radhika, who is the daughter of the 1st accused Raja in his mobile phone and developed the same and uploaded the same in the internet and started to threaten her. The petitioners herein are the brothers of the 1st accused. Since the said Jayakumar had been frequently torturing the daughter of the 1st accused, all the accused persons decided to murder him. On the date of occurrence viz., on 26.04.2015, the accused persons made the said Jayakumar to come to a particular place and thereafter, they murdered him and set fire to his body. Hence, the present compliant has been filed.

3.The learned counsel appearing for the petitioners submitted that so far the petitioners herein are concerned, their names were not referred in the First Information Report and only the names of one Ramu, Gobi and Selvavinayagam were found in the FIR. Since the petitioners are the brothers of the 1st accused, they have been falsely implicated in this case. The earlier petition filed by the petitioners was dismissed as withdrawn. The learned counsel for the petitioners would further submit that the petitioner herein are innocent persons. Thus, he sought for grant of anticipatory bail to the petitioners.

4. I have heard the learned Government Advocate (crl.side) also who opposed to grant anticipatory bail to the petitioners.

5.Keeping the submissions made on either side, I have carefully perused the materials available on record. Considering the facts and circumstances of the case, I am of the opinion that anticipatory bail could be granted to the petitioners by imposing stringent conditions. Accordingly, the petitioners are directed to be released on bail, in the event of their arrest or on their appearance before the concerned Court, on each of them executing 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 Judicial Magistrate at Polur, Thiruvannamalai District, and on further condition that they shall report before the respondent-police daily at 10.30 a.m. until further orders.

6.The petitioners shall appear before the concerned Court within a period of 15 days from the date of receipt of a copy of this order, failing which, the anticipatory bail granted shall stand automatically cancelled.

06.07.2015

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R.SUBBIAH, J.

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Pre-delivery order

in

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