



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

Thursday, the Twenty Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10961 of 2015

P. MAHALINGAM

... PETITIONER / ACCUSED 9

Vs

STATE REP.BY THE INSPECTOR OF POLICE
THUVAKUDI POLICE STATION, TRICHY DT,
CRIME NO.88/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.M.KARUNAKARAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A9, was apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 302 of IPC, in Crime No.88 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.One Umarani lodged a complaint on 02.04.2015 alleging that her husband had disputed with one Prakash/first accused over printing his name in the advertisement and due to the dispute, on 02.04.2015 at 8.15 p.m., A1 along with four other accused attacked him as lethal weapon and caused his death.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely roped in this case. It is further submitted that the petitioner was the driver of the first accused and wanted to surrender himself before the Judicial Magistrate No.VI, Trichy, as the respondent was suspecting him, but surrender was not accepted by the learned Judicial Magistrate.

4.The learned counsel for the petitioner further submitted that since the respondent is harassing the petitioner, he moved an application for not to harass, which was also ordered by this Court on the basis of the representation given by the petitioner, dated 13.05.2015 to the Superintendent of Police. It is further submitted that the accused Nos.4 & 5 were granted bail in Crl.O.P(MD)No.9078 of 2015 and A1 was granted bail in Crl.O.P(MD)No.10303 of 2015.

5.Per contra, the learned Government Advocate (Crl.side) submitted that the petitioner is one of the conspirator for



commission of the offence and he was working as driver of the first accused and the major part of the investigation was over. He further submitted that except this petitioner, all other accused were arrested and released on bail.

6. Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.VI, Trichy and on 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m., and 5.00 p.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The 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/-
25/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.VI, TIRUCHY

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHY

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
THUVAKUDI POLICE STATION, TRICHY DT,

+1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.33774

DM 29 JUNE 15

ORDER IN
CRL OP(MD) No.10961 of 2015
Date :25/06/2015

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