



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

Thursday, the Sixteenth day of July Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11003 of 2015

BRIGHTON @ ANTONY BRIGHTON ... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
KANYAKUMARI POLICE STATION, KANYAKUMARI DIST.  
CRIME NO. 905/2011. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.RUSSEL RAJ 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 :-

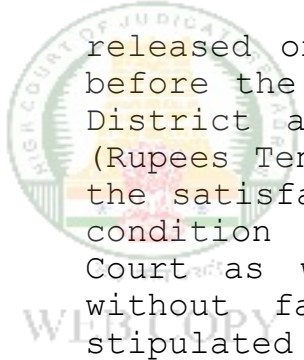
The petitioner, who is arrayed as A3, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148 and 302 of I.P.C., in Crime No.905 of 2011 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the accused have attacked the son of the de-facto complainant on 29.09.2011 and caused his death.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and it is further submitted that the complaint was given by the father of the deceased only on suspension and there is no specific overt act attributed against the accused, and that the respondent has already completed the investigation and also filed a charge sheet and the other accused are facing trial in S.C.No.47 of 2013.

4. The learned Government Advocate (Crl.side) would contend that the respondent has a filed charge sheet on 31.12.2011, showing this petitioner is an accused and he has been absconding nearly for about 4 years and as per the confession of the co-accused, the petitioner caughthold of the deceased at the time of occurrence.

5. Considering the facts and circumstances of the case, 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 his arrest or on his appearance before the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District and on his 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 committal Court as well as the trial Court for all future hearing dates without fail. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-  
16/07/2015

/ TRUE COPY /

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

TO

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

2.THE CHIEF JUDICIAL MAGISTRATE  
KANYAKUMARI AT NAGAR COIL.

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

4.THE INSPECTOR OF POLICE  
KANYAKUMARI POLICE STATION, KANYAKUMARI DIST.

+1. CC to M/S.R.RUSSEL RAJ Advocate SR.No.39296

ORDER  
IN  
CRL OP(MD) No.11003 of 2015  
Date :16/07/2015

RG.23.07.2015                      2P.6C.