



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

Tuesday, the Fourteenth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12853 of 2015

KRISHNA @ BALAKRISHNAN

... PETITIONER/ACCUSED NO.4

Vs

THE STATE

REP BY THE INSPECTOR OF POLICE

VATHALAGUNDU POLICE STATION, DINDIGUL DISTRICT,

(CRIME NO.139/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUAMR Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

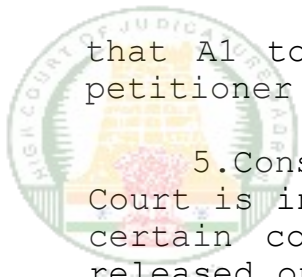
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the fourth accused in Crime No.139 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 302 IPC and hence, seeks anticipatory bail.

2. According to the prosecution, the deceased and the first accused had money transaction and they quarrelled with each other due to money dispute and on 07.04.2015, the accused and the deceased consumed alcohol in a TASMAR bar and thereafter the accused attacked the deceased and caused his death.

3.The learned counsel for the petitioner submitted that even according to the prosecution, the first accused pushed the deceased on drainage due to money dispute and he died due to head injury. It is further submitted that both the first accused and the deceased are in drunken mood at the time of occurrence and the petitioner, who is the friend of both of them, just accompanied them and there is no specific overt act is attributed against this petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the State submitted that due to money dispute, the accused have attacked the deceased and caused his death. It is further submitted



that A1 to A3 were already arrested and released on bail and the petitioner has attacked the deceased with hands and legs.

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 arrest or on his appearance before the learned Judicial Magistrate, Nilakkottai, Dindigul District, 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 at 10.00 a.m until further orders. 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/-
14/07/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKKOTTAI, DINDIGUL DISTRICT
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSPECTOR OF POLICE
VATHALAGUNDU POLICE STATION, DINDIGUL DISTRICT

+One cc to M/S.A.UTHAYAKUMAR, Advocate, SR.No.38258
RL/6C - 20/7/2015

ORDER
IN
CRL OP(MD) No.12853 of 2015
Date :14/07/2015