



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

Thursday, the First day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13348 of 2015

1 ALAGU @ PONNALAGU
2 POOGOTHAI
3 SONAIMUTHU

... PETITIONERS/ACCUSED 2 TO 4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
KEELAVALAVU POLICE STATION, MADURAI DT,
(CRIME NO.288/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : MS.S.PRABHA, Govt. Advocate (Crl. Side)

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

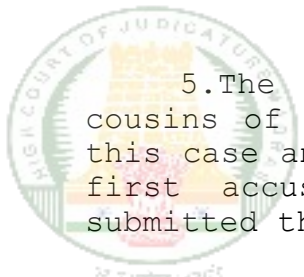
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 to A4 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 355, and 302 of IPC in Crime No.288 of 2015 and hence, seek anticipatory bail.

2.According to the defacto complainant, she married the first accused about three years prior to the date of occurrence and at the time of marriage, she was provided with 22 sovereigns of gold jewels and after marriage, there is a dispute between her husband and his father and thereafter, he become addicted to alcohol and hence he sold her jewels for consumption of liquor and used to physically torture her. So she left from the matrimonial home.

3.It is the further case of the prosecution that on 9.7.2015 at the request of the accused, the deceased had gone to the matrimonial home at 8.30 hours and wordy quarrel ensued between them and at the instigation of the accused 2 to 4, first accused poured kerosene on her and set her ablaze and the second accused attacked her with broomstick.

4.The learned counsel for the Petitioners submitted that the prime accused A1 was arrested and released on bail by the Sessions Court on 28.09.2015 in Cr.M.P.No.6371 of 2015. It is further submitted that the father of the first accused was suffering from paralysis and the first accused was requesting the deceased to help his father, which was not acceded to by the deceased and therefore wordy quarrel arose between them.



5.The learned counsel further submitted that the Petitioners are cousins of the first accused and they have been unnecessarily roped in this case and even as per the prosecution case, they have instigated the first accused to commit the offence. The learned counsel further submitted that there is no material against the Petitioners in this case.

6.The learned Government Advocate(Crl.side) submitted that the occurrence had taken place on 9.7.2015 and the major part of the investigation is over and the occurrence had taken place due to the instigation of the accused 2 to 4.

7.Considering the facts and circumstances of the case and considering the overt-act attributed against these Petitioners, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate,Melur, Madurai 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 to the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 A.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioners 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/-

01/10/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, KEELAVALLU POLICE STATION, MADURAI DT,

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

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No.58766

ORDER

IN

CRL OP(MD) No.13348 of 2015

Date :01/10/2015

NS/GSV-PM/SAR I/07.10.2015 : 2P/6C