



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

Thursday, the Twenty Third day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13592 of 2015

S.GOPIKANNAN

... PETITIONER / ACCUSED No.8

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DIST.
CRIME NO. 358 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SIVA ILAYARAJA 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 :-

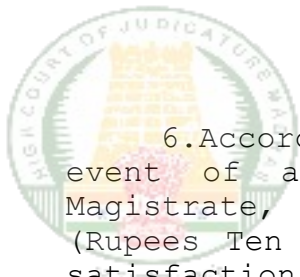
The petitioner, who is arrayed as A8 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 142, 341, 342, 109, 302 and 506(ii) of IPC, in Crime No.358 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, on 30.06.2015 A1 attacked him with knife, while A2 to A4 and A8 caught hold of the deceased and the other accused instigated to commit the offence.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that son of the deceased is the de-facto complainant and he has categorically stated that A2 to A4 and A8 caught hold of the deceased at the time of occurrence, but now the respondent has filed alternation report deleting A2 and A3. The learned counsel further submitted that similarly placed accused that of the petitioner were granted anticipatory bail by this court in Crl.O.P(MD) Nos.12680, 12479 and 13529 of 2015.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner/A8 caught hold of the deceased at the time of occurrence to felicitate A1 to stab the deceased.

5.However, considering the facts and circumstances of the case and also considering the alteration report and the stage of the investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Theni 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 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.

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/-
23/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THENI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DISTRICT.

+1. CC to M/S.S.SIVA ILAYARAJA Advocate SR.No. 40708.

TS/27.07.2015/2P - 6C

ORDER
IN
CRL OP(MD) No.13592 of 2015
Date :23/07/2015