



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

Tuesday, the Fifteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17874 of 2015

1 SELVARAJ
2 MOHAN
3 DURAIRAJ
4 VIGNESH

..PETITIONERS/ACCUSED 1 TO 4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO. 213 / 2015)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S S.MAHENDRAPATHY Advocate
For Respondent : MRS.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 A1 to A4, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 323 and 506(i) IPC @ 294(b), 323, 506(i) and 302 IPC on the file of the respondent Police and hence, seek anticipatory bail.

2.According to the prosecution, the daughter of the first accused Padmavathi was married to the son of the deceased and due to torture, she committed suicide, for which, a case was registered against the deceased and his family members in Crime No.148 of 2015. So, on 22.04.2015, when the deceased and his wife was proceeding to his agriculture field, the 1st accused attacked the deceased with wooden-log on his shoulder, left hand and backside and caused contusion and the accused 2 to 4 attacked the wife of the deceased with hands.

3.The learned counsel for the petitioners submitted that the occurrence had taken place on 22.04.2015, but the case was registered only on 24.04.2015 and the petitioners were granted anticipatory bail by this Court in Crl.O.P.(MD)No.7990 of 2015 on 27.04.2015. It is further submitted that after discharge from the hospital, the deceased, who is aged about 62 years, died on 09.05.2015, due to his ailment and thereafter, the case was altered into 302 IPC. The learned counsel further submitted that the 1st petitioner had already lost his daughter and it is the case of case and counter.



4. The learned Government Advocate (Crl.side) appearing for the respondent Police opposed granting anticipatory bail. It is also submitted that it is a case of murder and there are specific overt-act attributed against the petitioners and therefore, they are not entitled for anticipatory bail.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vendasandur, and on each of them 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 petitioners shall appear before the respondent police daily at 10 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
15/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
VEDASANDUR.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.

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

4 THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.

+1. CC to M/S S.MAHENDRAPATHY Advocate SR.No.54625

Akm/21.09.2015 /2p-6c/

ORDER
IN
CRL OP (MD) No.17874 of 2015
Date :15/09/2015