



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

Thursday, the Fifteenth day of October Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.18511 of 2015

1 M. SAKTHIVEL

2 M. VADIVEL

.. PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE STATE THROUGH THE INSPECTOR OF POLICE
SEMPATTI POLICE STATION,
DINDIGUL DISTRICT.

(IN CR.NO. 294/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S P.SENGUTTARASAN Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

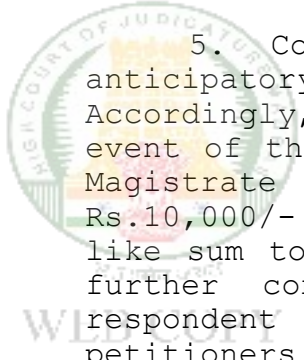
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 324 and 307 of I.P.C., subsequently altered to 147, 148, 341 and 302 of I.P.C., in Crime No.294 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant viz., Athiveerapandian that on 06.09.2015 at 8.00 p.m., he along with one Moorthy and Jamal Mohamed had gone to a TASMAR Bar, where the accused No.2 Selvakumar, Kumaravel along with other persons developed quarrel with Jamal Mohamed stating that he supporting their enemy Sathish and A1 attacked the Jamal with aruval and A2 Kumaravel and other persons attacked with sticks and thereafter, Muthiah attacked with reaper and caused his death.

3. The learned counsel for the petitioners submitted that the petitioners names are not mentioned in the F.I.R. and the de-facto complainant has specifically stated that the deceased was attacked by A1 Selvakumar and Kumaravel and the petitioners were implicated based on the confession of the second accused. It is further submitted that the petitioners are relatives of the first accused and therefore, they have been falsely roped in this case and the prime accused were already arrested and remanded to judicial custody.

4. The learned Government Advocate (Crl.side) submitted that the petitioners names are not mentioned in the F.I.R. and they are implicated only on the basis of the confession of the second accused and the first accused attacked the deceased and caused fatal injuries on the deceased.



5. Considering the facts, 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 their arrest or on their appearance before the learned Judicial Magistrate No.II, Dindigul and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 10.00 a.m. 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/-
15/10/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
 3. THE INSPECTOR OF POLICE, SEMPATTI POLICE STATION,
DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI..
- +1. CC to M/S P.SENGUTTARASAN Advocate SR.No.61630

ORDER
IN
CRL OP(MD) No.18511 of 2015
Date :15/10/2015

GJM/JGB/SARI-29.10.15-2P-6C