



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

Thursday, the Fifth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.18703 of 2015

POONKODI

... PETITIONER / ACCUSED NO.1

Vs

THE REP.BY

THE INSPECTOR OF POLICE

UTHAPPANAICKANOOR POLICE STATION,

MADURAI.

IN CR.NO. 118 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.SENGUTTUARASAN Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

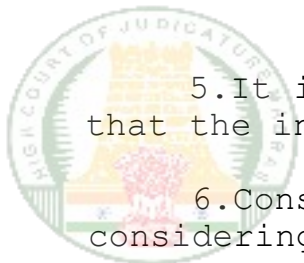
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 307 r/w 109 of IPC @ 302 of IPC r/w 109 of IPC, in Crime No.118 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was having illicit relationship with one B.Illiyammal. On 13.06.2015 while the petitioner was in the deceased house, the petitioner's wife A2 and another lady A3 came to the house of the deceased and on seeing them, the petitioner ran away from the scene of place and at that time, A2 and A3 poured kerosene on the deceased and set fire, therefore, the complaint has been registered under Sections 307, 109 of IPC @ 302 of IPC r/w 109 IPC.

3.The case of the petitioner is that he is an innocent person and he was not present in the scene of occurrence, when the incident took place.

4.The learned counsel for the petitioner submitted that A2 and A3 were already arrested and released on bail by the Sessions Court, Madurai in Crl.M.P.No.5483 of 2015 and A4 and A5 had already been granted anticipatory bail by the Sessions Court, Madurai in Crl.M.P.No.4482 of 2015 and prays for anticipatory bail in favour of the petitioner.



5.It is submitted by the learned Government Advocate (Crl.Side) that the investigation is still pending.

6.Considering the facts and circumstances of the case and also considering the fact that this petitioner was not in the place of occurrence and A2 and A3 were poured Kerosene and set fire, who were arrested and released on bail and A4 and A5 were granted anticipatory bail, 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 No.I, Usilampatti 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.

5. 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/-
05/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
USILAMPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
UTHAPPANAICKANOOR POLICE STATION,
MADURAI.

+1. CC to M/S P.SENGUTTUARASAN Advocate SR.No.65184

ORDER
IN
CRL OP(MD) No.18703 of 2015
Date :05/11/2015