



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

Monday, the Twelfth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19705 of 2015

S. KANNAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY THE INSEPECTOR OF POLICE
CENTRAL POLICE STATION,
THOOTHUKUDI DISTRICT,
CR.NO.408 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.T.PERUMAL Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

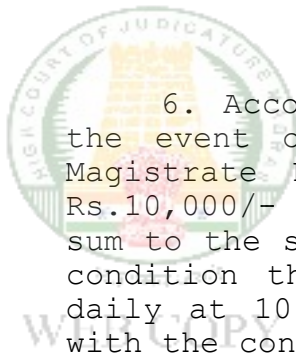
The petitioner, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 302, 307 and 506(ii) of I.P.C., in Crime No.408 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the deceased viz., Anujkumar Sony was making adverse comments against the wife of the first accused , So on 19.08.2015 A1 attacked the said Anujkumar Sony with aruval and one Akash assaulted the deceased with knife and caused injuries and later Anujkumar Sony succumbed to the injuries.

3. The learned counsel for the petitioner submitted that the petitioner's name was not mentioned in the FIR and even as per the complaint, the accused have attacked only Akash, who has already been discharged from the hospital. It is further submitted that even as per the allegation in the complaint, only 307 of I.P.C., is made out against the petitioner and the prime accused was arrested and remanded to judicial custody.

4. The learned Government Advocate (Crl.side) would submit that the deceased died due to injuries inflicted by the first accused and the petitioner, who is arrayed as A2 attacked one of the witnesses and caused injuries.

5. Considering the facts and circumstances of the case, 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 No.II, Thoothukudi 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 petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
12/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, THOOTHUKUDI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSEPECTOR OF POLICE, CENTRAL POLICE STATION,
THOOTHUKUDI DISTRICT.

+1. CC to M/S C.T.PERUMAL Advocate SR.No.60288.

TS/14.10.2015/2P - 6C NGM-SS/SAR -II

ORDER IN
CRL OP(MD) No.19705 of 2015
Date :12/10/2015