



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21738 of 2015

SINGH PANDI

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
MELAVALAVU POLICE STATION, MADURAI DISTRICT.
CR.NO. 235 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.ALAGUMANI Advocate

For Respondent : Mrs.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 the accused, prays for the grant of anticipatory bail under Section 438 of Cr.P.C. for offences punishable under Sections 176 Cr.P.C. r/w. 306 I.P.C. in Crime No.235 of 2015 on the file of the respondent police.

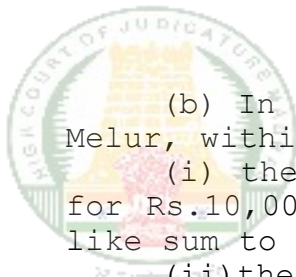
2. The case of the prosecution is that the daughter of the de-facto complainant viz., one Suganya has self-immolated herself due to disappointment of love affairs with one Shyam Sundar.

3.The counsel for the petitioner submitted that the petitioner has not involved in the case and the person responsible is one Shyam Sundar and that a case has been registered against him. Therefore, the petitioner may be granted the relief of anticipatory bail.

3. The Government Advocate (Crl. Side) refuting to grant the relief on the ground that approximately 30 minutes before the incident, this petitioner has spoken to the girl. That apart, the petitioner is also not cooperating with the respondent police for the enquiry.

4. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that it is for the investigation agency to decide as to whether the ingredients of Section 107 I.P.C. get attracted or not and at present there is no need for custodial interrogation of the petitioner. Hence, the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;



(b) In the event of appearance before the learned Judicial Magistrate, Melur, within 15 days from the date of receipt of copy of the order,

(i) the petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) the petitioner shall be available for interrogation by the respondent police on receipt of summons.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
18/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE
MELAVALAVU POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S R.ALAGUMANI Advocate SR.No.66684.

TS/24.11.2015/2P-6C/AAL-MPA/SAR - II

ORDER
IN
CRL OP(MD) No.21738 of 2015
Date :18/11/2015