



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

Thursday, the Third day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22844 of 2015

P. SUBRAMANIAN ... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT,
CR NO.18/2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.M.KARUNAKARAN Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

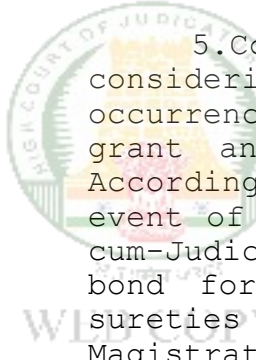
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 302 of IPC and subsequently altered into 147, 148, 120(b) and 302 of IPC, in Crime No.18 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 25.01.2015 at about 2.30 p.m., one Chandrasekaran, who was robbing his cattle informed the defacto complainant that his son Anbalagan's body was lying in the field and the defacto complainant rushed to the spot and found that his son was murdered. He gave a complaint and the case has been registered for the offences under Sections 147, 148, 120(b) and 302 of IPC in Cr.No.18 of 2015.

3.The case of the petitioner is that he is an innocent person and he has been falsely implicated in this case. He is doing business in Malaysia and he left India on 21.10.2014. On the date of occurrence I.e., on 25.01.2015 he was in Malaysia. The marriage between the Lavanya and Anbalagan was love marriage and the same was accepted by the parties and their blessings were also taken and there were no differences of opinion after the marriage between the family of said Lavanya and deceased Anbalagan.

4.The learned Government Advocate (Crl.side) submitted that originally the case has been registered for the alleged offences under Section 302 of IPC and later altered into 147, 148, 120(b) and 302 of IPC and the investigation has been completed and the charge sheet has been filed on 02.06.2015. The Government Advocate (Crl.side) also submitted that the petitioner was not in India on the date of occurrence.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner was not in India at the time of occurrence and the investigation is completed, 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 District Munsif-cum-Judicial Magistrate, Papanasam, Thanjavur District 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 concerned Court daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-
03/12/2015

/ TRUE COPY /

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

TO

- 1 THE LEARNED DISTRICT MUNSIF -CUM-JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT
- 3 THE INSPECTOR OF POLICE
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.M.KARUNAKARAN Advocate SR.No.69196

sm:MP-PM:SAR II:08.12.2015:2P/6C

ORDER
IN
CRL OP(MD) No.22844 of 2015
Date :03/12/2015