



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

Monday, the First day of June Two Thousand Fifteen

PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.9089 of 2015

M.SUBBAIAH

... PETITIONER/ACCUSED NO.6

Vs

STATE REP BY

THE INSPECTOR OF POLICE

THALAIYUTHU POLICE STATION, TIRUNELVELI DISTRICT.

CRIME NO. 355/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.RAJA Advocate

For Respondent : M/S.A.P.BALASUBRAMANI

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 A6 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 302, 506(ii), 109 and 120(b) of I.P.C. in Crime No.355 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the younger son of the de-facto complainant recently married the daughter of one Rajendran. Due to which, there was a dispute between the accused and the de-facto complainant and on 03.10.2014, the accused attacked the deceased and caused his death.

3.The learned counsel for the petitioner submitted that even according to the prosecution, the other accused had attacked the deceased at the instigation of this petitioner. He further submitted that the petitioner is not present in the scene of occurrence and he has been implicated as one of the conspirators of the alleged occurrence.

4.The learned Government Advocate (Crl.side) would submit that the respondent has completed investigation and also laid charge sheet in this case and except this petitioner, other accused were arrested and released on bail.



5. Considering the stage of the investigation and the overt act attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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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.III, Tirunelveli 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.

7. 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/-  
01/06/2015

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSPECTOR OF POLICE  
THALAIYUTHU POLICE STATION, TIRUNELVELI DISTRICT.

+1. CC to M/S.M.MARAN, Advocate SR.No.26561

RL/6 C- 3/6/2015

ORDER  
IN  
CRL OP(MD) No.9089 of 2015  
Date : 01/06/2015