



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

Thursday, the Twenty First day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.9246 of 2015

N.ATHIMUTHAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
PALAMEDU POLICE STATION, MADURAI DIST.
IN CR.NO. 75/2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

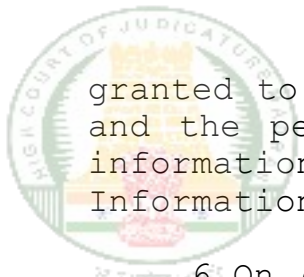
The petitioner, who is arrayed as an accused in Crime No.75 of 2015 on the file of the respondent police, apprehends arrest for the offences under Section 304 IPC and hence, the petitioner seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side).

3. It is submitted by the learned counsel for the petitioner that One Karthikeyan, who is main accused has already been granted bail by the Sessions Court, Madurai on 7.5.2015.

4.It is stated in the petition that the alleged occurrence is said to have taken place on 29.04.2015. One Chellapandi has lodged a complaint with the respondent that his son Gopinath has drowned in an abandoned blue metal/jelly quarry alleged to have been run by the petitioner and also expired on the same day.Further, the petitioner has stated that lease for jelly quarry in S.F.No.52/2 part-0.82.5 ares of Palamedu Villagle has been granted in favour of one Karthikeyan and he has been arrayed as the second accused and the lease has also expired in the year 2011 itself.

5.In order to establish the said fact, the petitioner has filed the details received from the Public Information Officer, Assistant Director (G&M), Madurai. Further, the Additional Director, Department of Geology and Mining, Madurai, has stated that the lease



granted to the said Karthikeyan has not been transferred to anyone, and the period of lease expired already on 26.09.2012 as per the information furnished by the Additional Director under Right to Information Act by order dated 11.05.2015.

6. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioner can be granted the relief prayed for, with condition, 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 District Munsif Cum Judicial Magistrate, Vadipatti, within fifteen days from the date of receipt of a copy of this 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 for the like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Vadipatti,

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) The petitioner shall be available for interrogation by the respondent police daily at 5.30 p.m. for two weeks and thereafter, as when required for interrogation.

The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

21/05/2015

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, VADIPATTI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
 - 3 THE INSPECTOR OF POLICE
PALAMEDU POLICE STATION, MADURAI DIST.
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.25937

ORDER IN

CRL OP(MD) No.9246 of 2015

Date : 21/05/2015