



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

Wednesday, the Twentieth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI
CRL OP(MD) No.9280 of 2015

V.C.RAJENDRAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

THADIKOMBU POLICE STATION, DINDIGUL DIST.

CRIME NO. 109 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI 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 :-

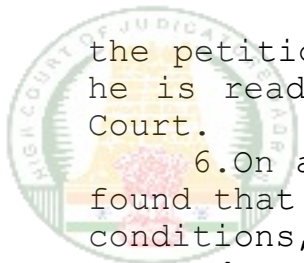
The petitioner, who is arrayed as an accused (rank not known) in Crime No.109 of 2015 on the file of the respondent police apprehends arrest for the offences punishable under Sections 341, 294(b), 307, 120(b) of I.P.C, and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 26.03.2015, when the defacto complainant and his father were coming in their two wheeler, one Balamurugan and two others, at the instigation of the petitioner, attacked them for not selling their land to them and on the basis of the complaint given by the defacto complainant, a case has been registered and in which, the petitioner has been added as one of the accused.

3. The learned Government Advocate (crl. Side) produced a copy of the First Information Report filed in the present case. However in the side F.I.R., in column No.7, the names of one Balamurgan, S/o.Singakutti @ Chinnakalai and other two persons (without name) and thereafter only, V.C.Rajendran, (the petitioner herein) name has been mentioned.

4.On that ground only, the learned counsel for the petitioner has raised his serious objection that the petitioner's name has been added in the F.I.R as an after thought, for the reasons best known to the respondent. Further, in the complaint filed along with the F.I.R, the defacto complainant has only requested to take action against the said persons namely Balamurugan and other two persons, who have assaulted the victim.

5.On a careful scrutiny of the F.I.R filed in the present case, it is found that the petitioner was not present in the scene of occurrence. On that ground only, it is stated in the petition that



the petitioner is innocent and he has not committed any offence and he is ready to abide by any condition that may be imposed by this Court.

6. On a careful perusal of the entire materials on record, it is found that there is prima facie case to grant anticipatory bail with conditions, to the petitioner in this matter. Further, the respondent has not pointed out any danger of the petitioner's absconding if he is granted anticipatory bail, with conditions and no serious allegation has been made as against the petitioner.

7. 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 conditions, 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 No.II, Dindigul 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 each for the like sum to the satisfaction of the learned Judicial Magistrate No.II, Dindigul;

(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 appear before the learned Judicial Magistrate, NO.II, Dindigul on all working days at 10.30 a.m. Until further orders.

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/-
20/05/2015

/ TRUE COPY /

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

TO

1. THE JUDICAIL MAGISTRATE NO.II, DINDIGUL
2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
3. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4. THE INSPECTOR OF POLICE
THADIKOMBU POLICE STATION, DINDIGUL DIST.
- +1. CC to M/S.R.ALAGUMANI Advocate SR.No.26227

ORDER
IN
CRL OP(MD) No.9280 of 2015
Date : 20/05/2015