



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

Tuesday, the Sixteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.9309 of 2015

S. SARAVANAN

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

KENIKARAI POLICE STATION, RAMANATHAPURAM DT,

CRIME NO.280/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.S.KUMAR Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

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

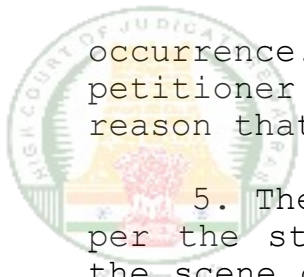
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A.4, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 302 I.P.C. in Crime No.280 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the deceased, who is the sister of the first accused/Dinesh fell in love with one Sathish Kumar, inspite of objection by him, the marriage was solemnised and she is also having two children. While so, the said Sathish Kumar had gone to Malaysia for employment, hence, the deceased along with her children were residing with her parents. Subsequently, the deceased is said to have developed intimacy with some other person and started living with him and on 21.06.2014, at 09.00 p.m., the deceased came to the house of the accused, where a quarrel arose between them and in a fit of anger, the first accused attacked the deceased with Aruval and thereby caused her death.

3. The respondent originally registered the case only against Dinesh / A.1 and after obtaining statement from the husband of the deceased namely Sathish Kumar on 01.11.2014, included the accused 2 to 4 in this case. The accused 2 and 3 are the parents of the deceased and the fourth accused is the friend of the first accused.

4. The learned Counsel for the petitioner submitted that even as per the defacto complainant, the deceased was done to death by the first accused and the petitioner has been falsely implicated in this case, based on the statement of the husband of the deceased, after a period of five months, who was in abroad on the date of



occurrence. The learned Counsel further submitted that the petitioner is innocent and he was roped in this case, for the only reason that he is a close friend of the first accused.

5. The learned Government Advocate (Crl.Side) submitted that as per the statement of Sathish Kumar, the petitioner was present in the scene of occurrence and he had closed the mouth of the deceased to avoid her screaming and to facilitate the first accused to commit the offence. He further submitted that A.1 and A.3 were already arrested and released on bail.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

7. 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.II, Ramanathapuram, and on his 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.

8. 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/-
16/06/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.

2. THE CHIEF JUDICIAL MAGISTRATE RAMANATHAPURAM.

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

4. THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.

+1. CC to M/S.S.S.KUMAR Advocate SR.No.31109

ORDER
IN
CRL OP(MD) No.9309 of 2015
Date : 16/06/2015