



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

Wednesday, the Third day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9431 of 2015

VIJAYAKUMAR

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

SUSEENTHIRAM POLICE STATION, SUSEENTHIRAM,

KANYAKUMARI DIST, CR.NO.469/2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUTHUKRISHNAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

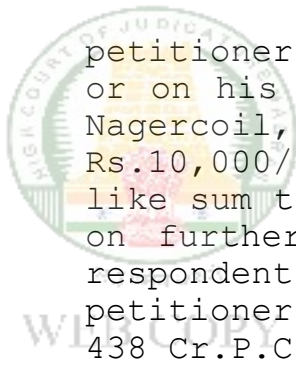
The petitioner, who is arrayed as A-5 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 302, 506(ii) of I.P.C. in Crime No.469 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that due to a dispute over celebrating the festival at Pathirakaliamman Temple and release of a cassette, there was a dispute between the village people of the defacto complainant of Pallathoor, due to which, on 11.08.2014, the accused attacked the husband of the defacto complainant and caused his death.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that this Court granted anticipatory bail to the co-accused in Crl.O.P(MD)No.7437 of 2015, vide order dated 30.04.2015.

4. The learned Government Advocate(Crl. Side) strongly opposed this petition.

5.Considering the facts and circumstances of the case and also considering the fact that this Court granted anticipatory bail to the co-accused, 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 Judicial Magistrate No.III, Nagercoil, Kanyakumari 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 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.

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/-
03/06/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.III
NAGAERCOIL, KANYAKUMARI DISTRICT.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGARCOIL.

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

4.THE INSPECTOR OF POLICE
SUSEENTHIRAM POLICE STATION, SUSEENTHIRAM,
KANYAKUMARI DIST.

+1. CC to M/S.S.MUTHUKRISHNAN Advocate SR.No.27208

ORDER
IN
CRL OP(MD) No.9431 of 2015
Date :03/06/2015

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