

Crl.O.P.No.6926 of 2016**K.KALYANASUNDARAM, J.**

The petitioner, who is arrayed as A18, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 302 IPC, on the file of the respondent police, in Crime No.1031 of 2015 and hence, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the deceased Mohan @ Periya Mohan and the accused 4, 9 and 10, the accused conspired together to eliminate the deceased and pursuance of the conspiracy, the accused 4 & 5 have brought the deceased from Kancheepuram to Sriperumbudur in a car of the 4th accused. At that time, the other accused including the petitioner, A18 were following in two wheelers and after the signal from the 4th accused, the other accused attacked him with lethal weapon and caused death.

3.The Learned counsel appearing for the petitioner would submit that the petitioner's name is not mentioned in the FIR and he was implicated based on the confession of the 4th accused. It is further submitted that there are 20 accused in this case and except this petitioner, the other accused were already arrested and released on bail and the investigation is over.

4. The learned Government Advocate (Crl. Side) would submit that the deceased Mohan @ Periya Mohan is a notorious person and he is having enmity with the other accused 4, 9 & 10, due to which, on 28.09.2015, he was murdered by the accused. It is further submitted that the petitioner has no previous case.

K.KALYANASUNDARAM, J.

sms

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

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.II, Kanchipuram 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 10.00am 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.

sms

06.04.2016

Crl.O.P.No.6926 of 2016