

Crl.O.P.No.8832 of 2016**K.KALYANASUNDARAM,J.,**

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 307 altered into 324 and 302 IPC in Crime No.623 of 2015 and hence, seeks anticipatory bail.

2. According to the defacto complainant that on 20.11.2015, the accused have attacked one Jaganathan and caused his death due to previous enmity.

3.The learned counsel for the petitioner would submit that a case was registered based on the complaint given by the father of the deceased, for which, they categorically stated that his son was assaulted by the accused 1 to 3. The petitioner's name is not mentioned in the FIR. Based on the confession statement of the co-accused, the petitioner has been implicated in this case.

4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that the dispute arose between the accused and the group, while playing kabadi in the year 2014 and thereafter all the accused have joined together to eliminate the son of the defacto complainant. On 20.11.2015, the petitioner along with other accused attacked the son of the defacto complainant and caused his death. and hence, the petitioner is not entitled to anticipatory bail.

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5. Considering the above 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, Kancheepuram and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum 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.

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.

25.04.2016

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