



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

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10438 of 2016

PUVANENTHIRAN

... PETITIONER/ACCUSED NO.4

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
SEDAPATTI POLICE STATION, MADURAI DISTRICT.
(CRIME NO.64/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.MUNIYANDI Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Section 306 of IPC in Crime No.64 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the deceased, mother of the de-facto complainant borrowed money from the petitioner for her son's marriage. The mother of the de-facto complainant / deceased has paid huge amount towards interest for the amount borrowed from the petitioners. Even after receiving the huge amount towards interest, the petitioners threatened the deceased to pay the amount and the petitioners also abused the deceased in filthy language. Due to that, the deceased committed suicide and on complaint, a case has been registered against the petitioners for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is not even present in the scene of occurrence and the co-accused have already granted anticipatory bail by this Court in Crl.O.P(MD).Nos.5766 and 5722 of 2016 and Crl.O.P(MD).No.6607 of 2016 dated 04.04.2016 and 02.06.2016 respectively.



4. The learned Government Advocate (Crl. Side) submits that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Peraiyur and on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-

28/06/2016

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, PERAIYUR

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT

3.THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4.THE INSPECTOR OF POLICE

SEDAPATTI POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S S.MUNIYANDI Advocate SR.No.33508

RL/6C/2P/ARK/PV/SARII/4/7/2016

ORDER

IN

CRL OP(MD) No.10438 of 2016

Date :28/06/2016