



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10512 of 2016

JEEVARAJ

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NAZARETH POLICE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO. 149/2012.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.ROBINSON Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

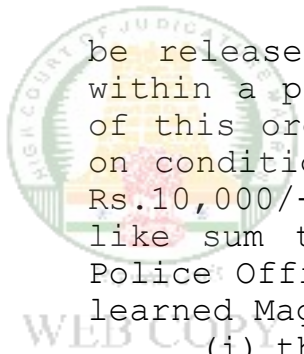
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 302 and 380 IPC, in Crime No.149 of 2012, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 01.08.2012, the petitioner and another person went to the house of the de facto complainant's house for plumping work. The de facto complainant went out of the house for her work. On that day, the de facto complainant received a message through the petitioner that the husband of the de facto complainant fell down in the kitchen. When the petitioner broke open the door, the husband of the de facto complainant was died and there was some bloodstain in the towel and a sum of Rs.6,000/- was missing. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The occurrence was taken place on 01.08.2012 and after 4 years, the respondent police harassed the petitioner as he is one of the accused.

4.The learned Government Advocate (Criminal side) submitted that the petitioner murdered the deceased before 4 years and he is absconding and due to that investigation has not been completed.

5.Considering the facts and circumstances of the case and also considering the fact that the occurrence tookplace on 01.08.2012, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sathankulam, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily twice i.e., at 10.00 a.m. and 05.00 p.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
13/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, SATHANKULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

3 THE INSPECTOR OF POLICE, NAZARETH POLICE STATION,
THOOTHUKUDI DISTRICT,

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S A.ROBINSON Advocate SR.No.36093

ORDER
IN
CRL OP(MD) No.10512 of 2016
Date :13/07/2016