



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10790 of 2016

HARIHARASUDHAN

... PETITIONER/ACCUSED no.3
Vs

THE INSPECTOR OF POLICE
MANACHANALUR POLICE STATION,
TRICHY DISTRICT,
CR NO. 61/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.SIVABALAN Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

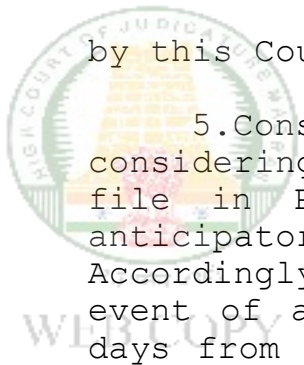
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.3, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 120(b), 302 and 114 IPC, in Crime No.61 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that all the accused conspired together and on 20.02.2015, they have attacked the deceased with aruval and lethal weapons and caused his death. 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 and he has been falsely implicated in this case. Charge sheet in this case was filed before the learned Judicial Magistrate No.III, Trichy and taken on file in P.R.C.No.3 of 2016 and the petitioner is served with summons for the appearance before the learned Magistrate for committal proceedings on 28.07.2016.

4.The learned Government Advocate (Criminal side) submitted that investigation has been completed and charge sheet has been filed and taken on file in P.R.C.No.3 of 2016 and earlier four anticipatory bail petitions filed by the petitioner were dismissed



by this Court.

5.Considering the facts and circumstances of the case and also considering the fact that charge sheet has been filed and taken on file in P.R.C.No.3 of 2016, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner 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 No.III, Trichy, 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 learned Judicial Magistrate No.III, Trichy, for future hearings regularly;
- (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]**.

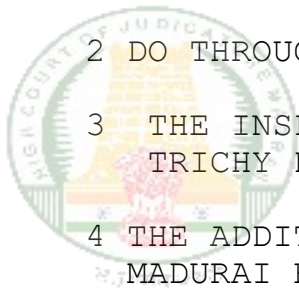
6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
30/06/2016

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE MANACHANALUR POLICE STATION,
TRICHY DISTRICT,

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

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+1. CC to M/S K.SIVABALAN Advocate SR.No.34527

ORDER

IN

CRL OP (MD) No.10790 of 2016

Date :30/06/2016

SDR/GSV-PM/SAR II/04.07.2016/3P/6C