



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

Wednesday, the Twentieth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.12156 of 2016

WEB COPY

CHANDRA

... PETITIONER/ACCUSED No.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 174/16)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.JOSEPH JERRY 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.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 306 of IPC, in Crime No.174 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the deceased was working as Assistant on Temporary basis. A1 is working as Secretary. The petitioner/A2 is working as Clerk. There is some dispute between the A1 and the petitioner, the petitioner has given a complaint against A1. Both the petitioner and A1 pressurized the deceased to give evidence in their favour. Due to that, he consumed sleeping Tablets on 18.04.2016 at 06.00 a.m., and died in the hospital at 4.30 p.m. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner gave a complaint against A1 and the same is pending investigation and she did not pressurize the deceased to give evidence in her favour. The petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

4.Heard the learned Government Advocate (Crl.Side).

5.Considering the facts of the case, 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 her 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, Nagercoil, 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 at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.
- (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/-

20/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III
NAGERCOIL.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S A.JOSEPH JERRY Advocate SR.No.38330

ORDER

IN

CRL OP(MD) No.12156 of 2016

Date :20/07/2016

PA/SK-SKN/SAR I/22.07.2016/2P/6C