



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

Friday, the Twenty Ninth day of January Two Thousand Sixteen

PRESENT

THE HON`BLE MR JUSTICE S.VAIDYANATHAN

CRL OP(MD) No.1456 of 2016

ANDIYAPPAN@RAJASEKAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY THE SUB INSPECTOR OF POLICE
AVUDAIYAR KOVIL POLICE STATION,
PUDUKOTTAI DISTRICT.
CRIME NO. 03 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.ANANDKUMAR Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

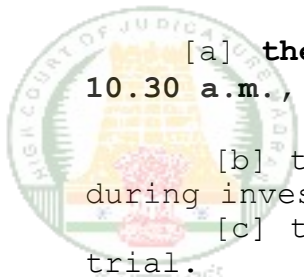
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 302 of IPC altered into 120(b) and 302 of the Indian Penal Code in Crime No.3 of 2015, on the file of the respondent police, seeks anticipatory bail.

2. It is represented by the learned Government Advocate (Crl.Side) that on 06.01.2015 when the defacto complainant's father was riding bike two unknown persons came behind him in another bike and attacked him with aruval and caused injury and thereafter he died. He further submitted that charge-sheet has been filed before the concerned Court.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offence and his name was not mentioned in the FIR and he has been false implicated in this case and the co-accused were granted anticipatory bail by the Principal District Court, Pudukottai.

4. Considering the facts and circumstances of the case, 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, Aranthangi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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

Services court, Govt. in-house services and on further condition that:



[a] the petitioner shall report before the concerned Court daily at 10.30 a.m., 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] if the petitioner is having a Passport, he is directed to produce the same before the Court concerned.

[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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

7. The petitioners 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.

sd/-
29/01/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARANTHANGI
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE,
AVUDAIYAR KOVIL POLICE STATION,
PUDUKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S J.ANANDKUMAR Advocate SR.No.5438

ORDER
IN
CRL OP(MD) No.1456 of 2016
Date :29/01/2016

GJM/GSV/AN/AR-II-1.2.16-2P-6C