



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

Friday, the Nineteenth day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.14701 of 2016

WEB COPY

KANNAN, ... PETITIONER / ACCUSED No.4
Vs

State rep.by
THE INSPECTOR OF POLICE,
KALLAKUDI POLICE STATION, TRICHY DISTRICT
CR.NO. 89 OF 2013 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

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

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

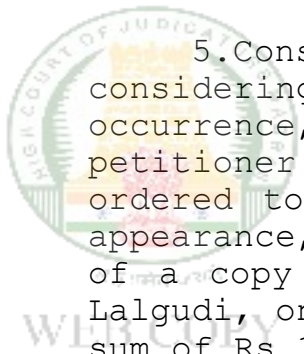
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.4, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323 and 506(i) IPC @ Sections 147, 294(b), 323, 506(i) and 302 IPC, in Crime No.89 of 2013, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that one Jeyaprakash/deceased has followed one Jeyachitra, the daughter of Jeyaraman, before six months from the date of occurrence. The said Jeyachitra informed her father about the deceased and he warned the deceased. On 29.04.2013, at about 11.00 p.m., the deceased knocked the door of the said Jeyaraman's house and made a quarrel with him and stabbed him with knife on his left elbow and ran away from the place. On hearing the noise of the said Jeyaraman, the petitioner along with other accused caught hold the deceased and attacked him. Due to the injury, he died. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is no way connected with the offence and he did not involve in the crime as alleged by the prosecution and no specific allegation has been made against the petitioner. He came to the occurrence place, wherein, he found that the deceased is in unconscious stage and the petitioner only took the deceased and admitted him in the hospital and all other accused persons were arrested and enlarged on bail.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the investigation is pending.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is not in the place of occurrence, 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, Lalgudi, 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 10.00 a.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/-

19/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, LALGUDI

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT

3 THE INSPECTOR OF POLICE,
KALLAKUDI POLICE STATION, TRICHY DISTRICT.

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

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.46046
sm:SK-SKN:SAR I:24.08.2016:2P/6C

ORDER

IN

CRL OP(MD) No.14701 of 2016

Date :19/08/2016