



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

Monday, the Eighth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH
CRL OP(MD) No.1670 of 2016

R.S. SRINIVASAN

... PETITIONER/ACCUSED RANK NOT KNOWN
Vs

STATE REP BY THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

IN CRIME NO. 275 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.JEGADEESH PANDIAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI 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 Sections 302 I.P.C. @ 147, 148, 341, 342, 294(b), 302 r/w 120(B) I.P.C. in Crime No.275 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side).

3. The case of the prosecution is that A.1 to A.3 had a previous motive against one Ganesan and on 09.10.2015 at about 21.15 hours, when Ganesan and Muniasamy were travelling in a car, they were waylaid by A.1 to A.6. Ganesan was brutally attacked and he died and Muniasamy escaped and went to the jurisdiction of Sulakarai Police Station. The accused chased him there and committed the murder of Muniasamy. For the incident that took place in the jurisdiction of Aruppukkottai Police Station, a case in Cr.No.277 of 2015 has been registered and in respect of the incident that took place within the jurisdiction of Sulakarai Police Station, a case in Cr.No.275 of 2015 has been registered. After committing both the murders, the accused left the car that was used by them in the house of the petitioner herein and fled. Apart from this, there is no other overt act against this petitioner.

4. This Court has earlier granted anticipatory bail to the petitioner in Crl.O.P.(MD)No.1079 of 2016 in Cr.No.277 of 2015, on the file of the Aruppukkottai Taluk Police Station, by order dated 21.01.2016 on the ground that the co-accused in this case were arrested and released on bail.

5. Taking into consideration all these facts, this Court is of the view that this is a fit case to grant anticipatory bail.



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 No.II, Virudhunagar District, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 06.30 p.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] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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]**.

(vi) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioners are complying with the order or not.

sd/-

08/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,VIRUDHUNAGAR DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE,VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE,SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.JEGADEESH PANDIAN Advocate SR.No.7490

ORDER

IN

CRL OP(MD) No.1670 of 2016

Date :08/02/2016

AA/AAL-MPA/SAR-I/10.02.2016/2p-6c