



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

Monday, the Twenty Sixth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.17645 of 2016

MUTHUPANDI

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
WATRAP POLICE STATION,
VIRUDHUNABGAR DISTRICT.
CR. NO.368/2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Petitioner/accused, prays for grant of anticipatory bail under Section 438 of Cr.P.C. for the offence punishable under Section 306 IPC in Crime No.368 of 2016 on the file of the respondent police.

2. The case of the prosecution is that petitioner required the deceased, a married woman, to be his concubine under threat of informing the villagers of his having illicit relationship with her. The deceased attempted suicide on 05.09.2016 and died at hospital on 07.09.2016.

3. Learned counsel for petitioner submits that on the death of the daughter/ deceased, her mother has given a false complaint implicating petitioner. Though the deceased was in hospital for two days, no statement had been recorded from her and no complaint had been preferred prior to her death and the petitioner is a neighbor, who stands falsely implicated.

4. Heard learned Government Advocate

5. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before learned Judicial Magistrate No.I, Srivilliputhur, Virudhunagar District, within 15 days from the date of receipt of a copy of the order,

(i) the petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to their satisfaction;



(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) the petitioner shall appear before respondent daily at 10.30 a.m for two weeks and thereafter as and when required.

sd/-

26/09/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRVILLIPUTHUR.

3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, WATRAP POLICE STATION,
VIRUDHUNABGAR DISTRICT.

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No.55902

ORDER IN

CRL OP(MD) No.17645 of 2016

Date : 26/09/2016

PBK/AAL-MPA/SAR-III 28/09/2016 :: 2P-6C: