



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

Friday, the Seventeenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9572 of 2016

SERMATHURAI

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THIRUKURUNGUDI POLICE STATION
TIRUNELVELI DISTRICT
CR.NO.139/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.SARAVANAN Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

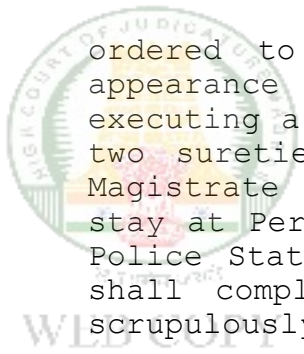
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 302, 147, 148, 120(b), 109 and 34 IPC, in Crime No.139 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that due to communal dispute, on 21.12.2015, the petitioner along with other accused persons unlawfully assembled themselves with deadly weapons, conspired together to cause murder of the deceased and attacked him with knife and iron rod and caused death to him. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and there is no eye-witness to the occurrence and the name of the petitioner is not found place in the FIR and only on the basis of the confession of the co-accused, the petitioner has been falsely implicated this case.

4.The learned Government Advocate(Crl.side) submitted that there was a communal clash between two groups belonging to two religions and the group of the petitioner attacked the other group and caused death of the deceased.

5.Considering the facts and circumstances of the case and also the fact that that major part of the investigation is almost over by this time, 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 before the learned Judicial Magistrate, Valliyur, and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall stay at Perambalur and appear before the Inspector of Police, Perambalur Police Station daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner 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/-

17/06/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYUR,

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

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

4 THE INSPECTOR OF POLICE
THIRUKURUNGUDI POLICE STATION
TIRUNELVELI DISTRICT

5 THE INSPECOR OF POLICE
PERAMBALUR POLICE STATION,
PERAMBALUR.

+1. CC to M/S D.SARAVANAN Advocate SR.No.31087.

ORDER

IN

CRL OP(MD) No.9572 of 2016

Date :17/06/2016

AM/AAL.MPA/SAR-II/21.06.2016/2P/7C