



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

Thursday, the Thirteenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8627 of 2017

1 BASKARAN
2 MANIVEL
3 MURUGAN

... PETITIONER/ACCUSED NOS.7 TO 9

Vs

STATE REP.BY,
THE SUB INSPECTOR OF POLICE
MUSIRI POLICE STATION,
TRICHY DISTRICT
CRIME NO.596/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SURESH Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

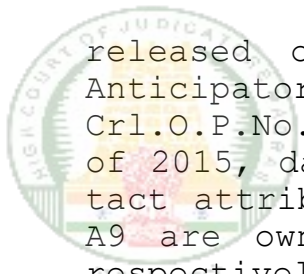
ORDER : The Court Made the following order :-

The petitioners / Accused Nos.7 to 9, who are apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 447, 449, 341, 294(b), 323 and 302 IPC r/w 3(i) of TNPPDL Act r/w 34, 149 and 114 IPC in Crime No.596 of 2014 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused had trespassed into the house of the de facto complainant and abused the deceased in front of the others and taken the kerosene and poured the same on the deceased and set fire on her. Thereafter, all the accused had taken away the paddy and demolished the house. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners states that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further state that as per the confession of co-accused the petitioners names have been falsely implicated in this Case.

4.The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that there are totally six named accused in the FIR and the petitioners herein are un named, but, they are arrayed as A7 to A9 respectively. He would further state that co-accused viz., A1, A3, A4 and A6 were arrested and



released on bail by this Court and A2 and A5 were granted Anticipatory Bail by this Court, as per orders made in Crl.O.P.No.7839 of 2015, dated 16.06.2015 and Crl.O.P(MD).No.23181 of 2015, dated 12.01.2016 respectively. Further, the specific overt act attributed in respect of the petitioners herein is that A7 to A9 are owners of the vehicle viz., tractor, bulldozer and JCB respectively and they were joined together and came to the house of the deceased and damaged the house and loaded all the articles from that house and the damaged house worth about Rs.5,000/- and the Investigation is completed, but, charge sheet is not taken on file in this case.

5.Considering the facts and circumstances of the case and also the fact that the prime accused in the alleged occurrence were granted bail by this Court and that the investigation is completed and the final report is yet to be taken on file and that the alleged overt act of the petitioners herein who are un-named in the FIR itself, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Musiri and on each of them 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 petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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/-
13/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUSIRI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE
MUSIRI POLICE STATION, TRICHY DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.SURESH Advocate SR.No.26509

ORDER
IN
CRL OP(MD) No.8627 of 2017
Date :13/07/2017