

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

Tuesday, the Sixth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.2406, 1537 AND 3122 of 2017

PARTHIBAN ... PETITIONER / ACCUSED
IN CRL OP(MD)NO.2406/2017
VINOTHPANDIAN, ... PETITIONER / ACCUSED RANK NOT KNOWN
IN CRL OP(MD)NO.1537/2017
1. A.VEGATESAN ...PETITIONERS/ACCUSED RANK NOT KNOWN
2. R.PARTHIBAN IN CRL OP(MD)NO.3122/2017

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT
CRIME NO.402 OF 2016
U/S. 302 OF IPC ... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

For Petitioner : M/S.KR.SINGARAVADIVEL Advocate
IN CRL OP(MD)NO.2406/2017
: NO APPEARANCE IN CRL OP(MD)NOS.1537 & 3122/2017

For Respondent : A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR
IN ALL THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who are the sole accused in Crime No.402 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148 and 302 of I.P.C. and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public prosecutor for the respondent/State.

3.The case has been registered on the complaint given by Village Administrative Officer, Sivagangai stating that he received an information from one Sevugamoorthy, the Village Assistant about the presence of dead body of the deceased in the punja land belongs to one Rajendran at Survey No.37/4. The occurrence is said to have taken place on 24.12.2016. Thereafter, the case has been registered

in Crime No.402 of 2016 and two persons were arrested and based on their confession, the petitioners were implicated as accused.

4.Though it is stated in the counter affidavit that the anticipatory bail application filed by the co-accused in CrI.O.P. (MD)No.1157 of 2017 was dismissed as early as on 10.02.2017, the respondent police till today has not taken any steps to arrest the accused.

5.Considering the facts and circumstances of the case and in order to facilitate the investigation, 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 his appearance before the learned Judicial Magistrate No.II, Sivagangai 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders, for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.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/-
06/06/2017

/ TRUE COPY /

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

RJ2
TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE, SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/RR/SAR-I-13.6.17-2P-5C

ORDER
IN
CRL OP (MD) No.2406, 1537 &
3122 of 2017
Date :06/06/2017