



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

Monday, the Twelfth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.3497 of 2018

SATHIYASEELAN,

... PETITIONER / ACCUSED
(RANK NOT KNOWN)

Vs

STATE, REP.BY
INSPECTOR OF POLICE,
SINDUPATTY POLICE STATION,
MADURAI DISTRICT.
(CR.NO.16 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

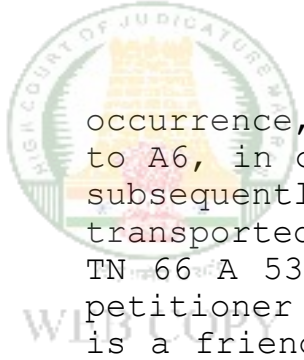
The petitioner, who is arrayed as accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 120-B, 302, 201 and 34 of IPC in Crime No.16 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused are said to have committed the murder of the deceased. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the investigation is pending.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged during the time of



occurrence, the other accused in this case, who are arrayed as A1 to A6, in order to take revenge, committed the offence of murder and subsequently, in order to screen the evidences, they were transported the dead body by using a Innova car bearing Regn. No. TN-66 A 5323. According to the confession given by A2 and A3, this petitioner being the owner of the car given the same to the A1, who is a friend to this petitioner. Accordingly, without any knowledge with regard to offence committed by the other accused, the petitioner gave the Car. Considering the role played by the petitioner, the custodial interrogation of the petitioner may not be necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioner.

6. 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, Thirumangalam on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall appear before the respondent Police daily 10.00 a.m., until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned 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]**.

sd/-
12/03/2018

/ TRUE COPY /

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



TRP
TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE,
SINDUPATTY POLICE STATION, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.4036

GJM/VR/SAR-I-19.3.18-3P-6C

ORDER

IN

CRL OP (MD) No.3497 of 2018

Date :12/03/2018