



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

Wednesday, the Twenty First day of March Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP (MD) No.4466 of 2018

KRISHNAN

... PETITIONER/PROPOSED 7TH  
ACCUSED

Vs

THE STATE OF TAMIL NADU, REP.BY  
THE INSPECTOR OF POLICE  
TEMPLE POLICE STATION, RAMESHWARAM,  
RAMANATHAPURAM DISTRICT.  
IN CR.NO. 143/2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.BALAKRISHNAN 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 No.7, apprehending arrest at the hands of the respondent police for the offences punishable under Section 414 IPC in Crime No.143 of 2013, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioner herein and other accused are said to have kidnapped the deceased and committed the offence of murder. 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. Heard the learned Government Advocate (Criminal Side) appearing for the State.

<https://hcservices.ecourts.gov.in/hcservices/> 5.The submissions made by the learned counsel appearing on either side are considered.



6. The petitioner herein is added as accused, as per the order passed by the learned Additional District Judge, Ramanathapuram in CrI.M.P.No.14 of 2018 in S.C.No.165 of 2016. It is represented that as per the evidence of PW.1 in S.C.No.165 of 2016, the petitioner herein is added as accused for the offence under Section 414 IPC. Considering the reasons stated by the petitioner and also considering the facts and circumstances of the case, this Court came to the conclusion that the custodial interrogation of the petitioner may not be necessary. Hence, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioner.

7. 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 District Munsif-Cum-Judicial Magistrate, Rameswaram, 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 concerned Court daily at 10.00 am for a period of one week.

(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/-  
21/03/2018

/ TRUE COPY /

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



trp  
TO

1 THE DISTRICT MUNSIF  
CUM JUDICIAL MAGISTRATE, RAMESWARAM,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE  
TEMPLE POLICE STATION, RAMESHWARAM,  
RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.R.BALAKRISHNAN Advocate SR.No.4669

GJM/PMI/SAR-4-3.4.18-3P-6C

ORDER

IN

CRL OP(MD) No.4466 of 2018

Date :21/03/2018