



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

Wednesday, the Sixteenth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP (MD) No.7919 of 2018

KOTTALAMUTHU ... PETITIONER/ACCUSED (RANK NOT KNOWN)

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ERAL POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.332/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 302 IPC., @ into Sections 147, 148, 149, 341, 294 (b), 302 r/w. 120-B of IPC., in Crime No.332 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the deceased went to agricultural field for the purpose of irrigating water, subsequently, the deceased did not return back. Hence, the defacto complainant went to the agricultural field and seen that the deceased was murdered by some unknown persons. Hence, he lodged the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that based on the confession of the accused, the petitioner has been falsely implicated in this case.

4. Learned Government Advocate (Criminal side) submitted that based on the confession of the co-accused, the petitioner has been implicated in this case. He further submitted that all the



other accused in this case were already released on bail.

5. Considering the facts and circumstances of the case and taking note of the fact that the co-accused were already released on bail, this Court is inclined to grant the relief of anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Magistrate concerned within a period of 10 days from the date of receipt of a copy of this order, 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 Judicial Magistrate, Srivaikundam, or to the satisfaction of the respondent police or the police officer, who intends to arrest and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m for two weeks and thereafter, as and when required for interrogation.

sd/-
16/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
GENERAL POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.DEENADHAYALAN, Advocate SR.No.8589

ORDER
IN
CRL OP(MD) No.7919 of 2018
Date :16/05/2018

PK/CM-VR/ASVM/17.05.2018 : 2P/6C