



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

Tuesday, the Third day of July Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.10950 of 2018

1 GANESHAN

2 SANKAR

... PETITIONERS/ACCUSED A3 & A4

Vs

STATE REP BY

THE INSPECTOR OF POLICE

M.REDDYAPATTI POLICE STATION,

VIRUDHUNAGAR

CRIME No.58 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.JOTHIBASU Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 302 IPC @ 120(b), 294(b), 302 IPC in Crime No.58 of 2018, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police.

3.On 01.06.2018, the deceased viz., Randjit Kumar was done to death by one Mallika Arjunan, who is first accused in this case. The de facto complainant is one Manikandan, who is the younger brother of the deceased. The first accused / Mallika Arjunan and his wife were directly implicated in this occurrence. The said Mallika Arjunan has also been arrested. In his confession he stated that he was induced by the petitioners herein to commit such offence.

4.This Court went through the entire confession. As per the confession of the first accused, on 29.05.2008 the first accused was consuming liquor along with the petitioners herein. The petitioners are said to have told the first accused that they felt insulted due



to the conduct of the deceased. Thus, they induced the first accused to commit the murder.

5. This Court is of the view that on the strength of this confession, the petitioners need not be arrested. However, this observation is made only for the purpose of granting the relief sought for in this petition alone and the same will not be taken as an advantage in any other proceedings.

6. Considering the nature of allegation made against the petitioners, 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 Court, Aruppukottai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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. for a period of two weeks, and thereafter as and when required for interrogation. The petitioners shall comply with the conditions 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 is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

03/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE
M.REDDYAPATTI POLICE STATION, VIRUDHUNAGAR
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.JOTHIBASU Advocate SR.No.11933

ORDER

IN

CRL OP(MD) No.10950 of 2018

Date : 03/07/2018