



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

Friday, the Second day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.19808 of 2018

SURESH, ... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE, REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
THISAYANVILAI POLICE STATION,
TUTICORIN DISTRICT.

(CRIME NO.319 OF 2018) ... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.KARTHIK Advocate

For Respondent : Mrs.M.ANANTHA DEVI,
Government Advocate(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 448, 294(b), 323, 364 & 506(ii) of IPC and Section 3 of TNPPDL Act @ 147, 294(b), 449, 323, 364, 506(ii) IPC, 302, 201 of IPC and Section 3 of TNPPDL Act, in Crime No.319 of 2018, seeks anticipatory bail.

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

3.The case of the prosecution is that the defacto complainant had two sons. His elder son was already a married man and due to controversy both got separated. In these circumstances, he fell into love with one Poornima, who is working in the real estate company of the 1st accused. It came to the knowledge of the first accused. Hence he warned the deceased. In these circumstances, on 02.10.2018 at about 1.15 p.m. the accused persons trespassed into the defacto-complainant's house and they attacked the deceased indiscriminately and they forcibly abducted the deceased. Therefore, he died. Hence, the complaint.



4.The learned counsel for the petitioner would submit that the petitioner is the driver of the first accused. He drove the vehicle without the knowledge that the accused persons should trying to murder the deceased.

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5.The learned Government Advocate (Cr1. Side) would submit that the petitioner is arrayed as A15. As far as the petitioner is concerned there is no specific overtact except he drove the vehicle of the first accused.

6.Considering the fact that the petitioner drove the vehicle without the knowledge that the accused persons going to murder the deceased and considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Nanguneri and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner 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 shall stand dismissed.

sd/-
02/11/2018

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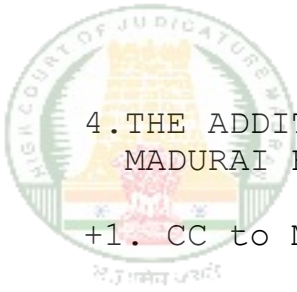
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE,
NANGUNERI.

2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

3.THE INSPECTOR OF POLICE,
THISAYANVILAI POLICE STATION,
TUTICORIN DISTRICT.



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

+1. CC to MR.M.S.JEYAKARTHIK, Advocate SR.No.21206

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ORDER

IN

CRL OP (MD) No.19808 of 2018

Date :02/11/2018

AE/RR/SAR1/12.11.2018/3P/6C