



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

Tuesday, the Thirteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20154 of 2018

1 SOLAIAPPAN
2 MURUGAN
3 JOHNS KUMAR

... PETITIONERS/ ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
MUKKULAM POLICE STATION,
VIRUDHUNGAR DISTRICT.
IN CRIME NO.66 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.M.JOTHIBASU, 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 petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 309 I.P.C @ 306 I.P.C, seek anticipatory bail. The petitioners are arrayed as Accused Nos.1 to 3 in Crime No.66 of 2018.

2. The case of the prosecution is that the deceased Revathi was earlier married and thereafter deserted. She had developed illegal relationship with the first petitioner. The first petitioner and the said Revathi, are working as Masons. They were having living together relationship and it is not to the liking of the petitioner's family. The petitioner's family have performed marriage to the first petitioner. Hence, the said Revathi had fall in search of the first petitioner to his village. She wants to meet the first petitioner, which was refused by the family members of the first petitioner, thereafter, she was taken to Advocate's office, wherein, preparations were made to cut off the entire relationship between the first petitioner and the deceased Revathi. In the meanwhile, the petitioners 2 and 3 have shouted and scolded on the deceased Revathi, due to which, she poured kerosene and set fire on



her. In the dying declaration, she expressed that due to the financial prudence the said deceased Revathy had come to the first petitioner's village.

3. The learned counsel appearing for the petitioners would submit that the petitioners are ready to co-operate with the prosecution.

4. The learned Government Advocate (Crl. side) would submit that the investigation is pending before the respondent Police.

5. Taking into consideration the facts of the case and the submissions of both the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukottai, on condition that the petitioners shall execute 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the first and second petitioners shall report before the respondent Police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

13/11/2018

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
3. THE INSPECTOR OF POLICE,
MUKKULAM POLICE STATION, VIRUDHUNGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.M.LAW OFFICE, Advocate SR.No.21477

ORDER

IN

CRL OP(MD) No.20154 of 2018

Date :13/11/2018

MS/VR-MMS/SAR-4/19.11.2018/3P.6C