



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

Monday, the Twenty Fourth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.16969 of 2018

1 N. ALAGAPPAN

2 A. SAGUNTHALA

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
NACHIYAPURAM POLICE STATION,
SIVAGANGAI DISTRICT
(CR.NO.123 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.T.THIRUMURUGAN Advocate

For Respondent : MRS.M.ANANTHA DEVI Govt. 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 offence punishable under Section 306 I.P.C in Crime No.123 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the civil dispute between the petitioners and the defacto complainant was amicably settled before the respondent police through village elders. Subsequently, on 08.09.2018 the defacto complainant's husband namely Rajkumar had committed suicide by way of hanging. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have no way connected with the said case. The said deceased had encroached the public pathway and the same was questioned by the village people and one Nachiyappan sent a complaint to the official on behalf of villagers. There is no single incident to intricate the deceased to commit the suicide by the petitioners. Hence, Section 306 I.P.C is not attracted to the aged petitioners. They have been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the investigation is pending.

5.Taking note of the facts and circumstances, 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, Tiruppathur 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 as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioners 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/-
24/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
TIRUPPATHUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DT.
- 3 THE INSPECTOR OF POLICE,
NACHIYAPURAM POLICE STATION, SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.T.THIRUMURUGAN Advocate SR.No.18077

ORDER
IN
CRL OP(MD) No.16969 of 2018
Date :24/09/2018