



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

Date : 25/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.10330 of 2020

1.Veeran
2.Murugan

... Petitioners/Accused Rank Not Known

Vs

State through,
The Inspector of Police,
Vaiyampatty Police Station,
Trichy District.

(Crime No. 802 of 2020). ... Respondent/Complainant

For Petitioner : M/s.M.Prabu,
Advocate.

For Respondent : Ms.S.E. Veronica Vincent,
Government Advocate (Crl.Side)

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

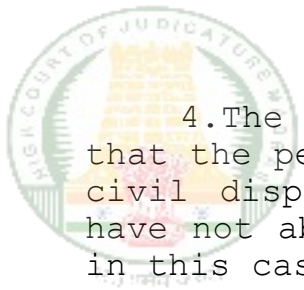
PRAYER :- For Anticipatory Bail in Crime No. 802 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners who are arrayed as A-1 & A-2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 306 of IPC, in Crime No.802 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are arrayed as A-1 & A-2 and the deceased is a 70 years old man and civil dispute is pending between the petitioner and the deceased for a long time. Due to that motive, there was a wordy quarrel between them on 03.09.2020, the petitioners said to have abused the deceased and due to the same, the deceased poured Kerosine on his body and set fire, subsequently the deceased was taken into hospital and he died after four days. Hence, the complaint.

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



4.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons. He further submitted that civil dispute is pending between the parties and the petitioners have not abetted the deceased and they have been falsely implicated in this case. Hence, he seek anticipatory bail.

5.The learned Government Advocate (Crl. Side), on instructions, submitted that the petitioners and the defacto complainant are neighbours and due to civil dispute, the petitioners said to have abused the deceased and due to the same, out of frustration the deceased poured Kerosine on his body and set fire and after four days, he died.

6. Considering the fact and circumstances of the case and considering the fact that the deceased and the petitioners are neighbours and due to civil dispute, frequent wordy quarrel arouse between the parties and on 03.09.2020, the deceased said to have committed suicide and eventhough, occurrence taken place on 03.09.2020 the deceased died after four days and on perusal of statement of the deceased which was recorded before his death, there is no serious allegation against the petitioners and only due to wordy quarrel he has committed suicide and hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manaparai, Trichy District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

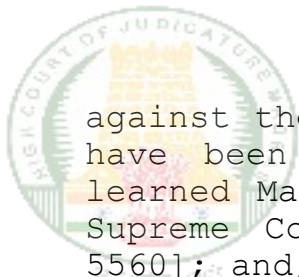
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police 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 Judicial 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]; and;

WEB COPY (f)if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/09/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

ORDER
IN
CRL OP(MD) No.10330 of 2020
Date :25/09/2020

KSA
PK/JC/SAR-3/30.09.2020 : 3P/5C