



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.9495 of 2022

Andikalai, ... Petitioner/Sole Accused

Vs

THE STATE REP BY,
The Inspector of Police,
Melavalavu Police Station,
Madurai District.
(Crime No.80 of 2021).

... Respondent/Complainant

For Petitioner : Mr.T.Vadivelan , Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.80 of 2021 on the file of the Respondent Police.

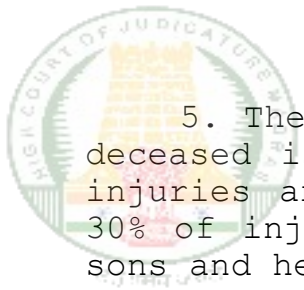
ORDER : The Court made the following order :-

The petitioner / sole accused , apprehending arrest at the hands of the respondent police for the offences punishable under Section 307 IPC altered into Section 302 I.P.C., in Crime No.80 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that on the date of occurrence, the petitioner came to the house in a drunken condition and the petitioner's wife had quarrel with the petitioner and suddenly she poured kerosene on her and set fire and she died in the hospital.

4. The Additional Public Prosecutor submits that in this case investigation is completed and absconding charge sheet has been



5. The learned counsel for the petitioner would submit that the deceased is the wife of the petitioner and she succumbed to burn injuries and when the petitioner came to rescue her, he sustained 30% of injury in the alleged fire incident and he has three minor sons and hence, he prays for anticipatory bail to the petitioner.

6. Considering the fact that investigation is completed and absconding charge sheet is filed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the trial court regularly on hearing dates without fail

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

sd/-

18/05/2022

/ TRUE COPY /

19/05/2022

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



TO

1 THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
MELAVALAVU POLICE STATION, MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9495 of 2022

Date :18/05/2022

PKP/JM/SAR-2/19.05.2022/3P/5C