



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

Friday, the Thirty First day of October Two Thousand Fourteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.18312 of 2014

1 VELMURUGAN

2 GOMATHI

3 MURUGAN

... PETITIONER(S) / ACCUSED Nos. 4, 6 & 7

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
IRUKKANGUDI POLICE STATION, VIRUDHUNAGAR DT,
CRIME NO.105/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.PRABHU Advocate

For Respondent : Mr.P.Kannithevan Government Advocate (Crl.Side)

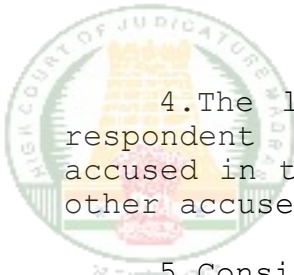
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A4, A6 and A7 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 148 and 302 of IPC @ 120(B) and 302 of IPC, Crime No.105 of 2014, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that there is a dispute between the accused and the deceased over the love marriage of the first accused with the daughter of the deceased and also a dispute over the contest of election for the post of Village Panchayat President and due to which, on 31.05.2014, the accused conspired together and on 17.06.2014 attacked the deceased with knife and caused his death.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have been implicated only on the confession of co-accused/Sundarrajan and in this case, A1 to A3 were granted bail by this court in Crl.O.P(MD) No.17258 of 2014, dated 22.09.2014 and therefore, prays for anticipatory bail in favour of the petitioners.



4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the said Sundarrajan has now become first accused in this case and he alone attacked the deceased with knife and the other accused are the conspirators of the occurrence.

5.Considering the facts and circumstances of the case and also considering the fact that the similarly placed accused persons that of the petitioners were granted bail by this court, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Sattur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 court concerned daily at 10.30 a.m. and 05.30 p.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.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 stands dismissed.

sd/-
31/10/2014

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, SATTUR.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
IRUKKANGUDI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- +1. CC to M/S.K.PRABHU Advocate SR.No. 59833.

TS/03.11.2014/2P-6C

ORDER
IN
CRL OP(MD) No.18312 of 2014
Date :31/10/2014