



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

Thursday, the Nineteenth day of December Two Thousand Thirteen
PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.22568 of 2013

RAJESWARAN @ KATTU RAJA

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
VATCHAKKARAPATTI POLICE STATION,
VIRUDHUNAGAR DT,
CRIME NO.225/2013

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : MR.P.KANDASAMY, GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

There are totally eight accused in this case and the petitioner is arrayed as A-1 and he was arrested and remanded to judicial custody on 10.11.2013 for the alleged commission of offence punishable under Section 302 I.P.C., in Crime No.225 of 2013 on the file of the respondent police and hence, seeks bail. The alleged offence is said to have been committed on 07.11.2013.

2. The case of the prosecution is that a complaint was lodged by one Subburaj alleging that his son Kanagaraj was doing business in sand and there was a dispute between him and Rajeswaran @ Katturaja, Jegadesan, Govindaraj and Arumugam Driver and others with regard to quarrying of sand and it is further alleged that his son Kanagaraj was missing from 07.11.2013 and later on, his body was found with injuries on the head.

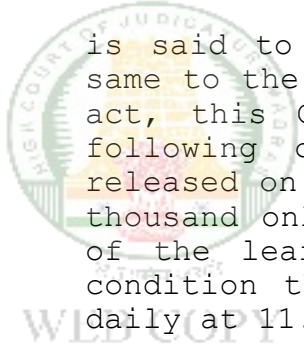
3. The learned counsel for the petitioner would submit that with regard to illegal quarrying of sand, there was a dispute between the accused group and the deceased and the petitioner, who is arrayed as A-1, is said to have watched the movements of the deceased and informed the same to hirelings, except that, he has not been attributed with any fatal overt act. He would further submit that A-2 and A-3 surrendered on 14.11.2013.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is said to have watched the movements of the deceased and informed the same to hirelings and that he is not having any bad antecedents.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the State and also perused the materials available on record.

<https://hcservices.ecourts.gov.in/hcservices/>

6. Considering the facts and circumstances of the case, especially the fact that even as per the version of the prosecution, the petitioner



is said to have watched the movement of the deceased and informed the same to the hirelings and he has not been attributed with any fatal overt act, this Court is inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed to be released on bail on 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 Judicial Magistrate No.I, Virudhunagar, and on further condition that the petitioner shall appear before the respondent police daily at 11.00 a.m., until further orders.

sd/-
19/12/2013

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, VIRUDHUNAGAR
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 4 THE INSPECTOR OF POLICE VATCHAKKARAPATTI POLICE STATION,
VIRUDHUNAGAR DT,
- 5 THE ADDL.PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.63406

ORDER
IN
CRL OP(MD) No.22568 of 2013
Date :19/12/2013

NA/19/12/2013/P2/7C