



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

Wednesday, the Tenth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10284 of 2015

WEB COPY

SELVAKUMAR

... PETITIONER/ACCUSED NO.8

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
KOVILPATTI, THOOTHUKUDI DISTRICT,
(IN CRIME NO.258 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.MICHAEL BHARATHI Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A8 in Crime No.258 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 29.03.2015 for the alleged offences punishable under Sections 147, 148, 149, 341, 342, 294(b), 302 and 506(ii) of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that due to panchayat election dispute, the accused have attacked the deceased with lethal weapons on 29.03.2015 at 09.00 a.m and caused his death.

3.The learned counsel for the petitioners submitted that the de-facto complainant is the sister of the deceased and she also said to be an eye witness to the occurrence, however, in the complaint, she has mentioned the name of the three accused and further stated six other identical persons attacked the deceased. He further submitted that despite the deceased and the de-facto complainant are closed relatives of this petitioner and the name of the petitioner has not been mentioned in the FIR and that in the test identification parade, the witnesses have not identified the petitioner. Further even as per the case of the prosecution, the petitioner caught hold of the deceased at the time of occurrence while the other accused attacked the deceased with aruval.



4.The learned Government Advocate (Crl.side) would oppose the bail application stating that due to election dispute, the accused have attacked the deceased with aruval and caused his death. He further submitted that A10 is still at large and the investigation is pending and the petitioner has no bad antecedent.

5.Considering the overt act attributed against the petitioner and the period of incarceration, 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 his 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.II, Kovilpatti and on further condition that the petitioner shall report before the respondent police daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-
10/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TIRUNELVELI.
- 4 THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.MICHAEL BHARATHI Advocate SR.No.29277

ORDER IN
CRL OP(MD) No.10284 of 2015
Date :10/06/2015

PA/PPS/10.06.2015/2P/7C