



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

Friday, the Twenty Sixth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10537 of 2015

A. CHANDRAN ... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VEERAVANALLUR POLICE STATION, TIRUNELVELI DT,
CRIME NO.246/2014 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.LAJAPATHI ROY Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

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

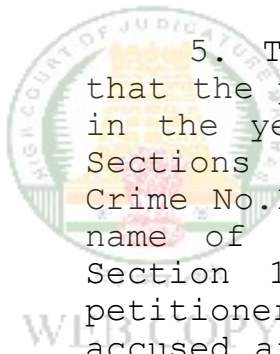
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2 in Crime No.246 of 2014 on the file of the respondent police, was arrested on 25.05.2015 for the alleged offences punishable under Sections 147, 148, 449, 302, 506(ii) and 149 of I.P.C., and hence, seeks bail.

2. The case of the prosecution is that on 20.10.2014, due to previous enmity, the accused came in two wheelers and also in an Innova car with deadly weapons and attacked the deceased and caused his death.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has preferred a complaint against the Sub Inspector of Police in the respondent police station and the case was registered in Crime No.211 of 2014 and the petitioner's son filed a private complaint against the respondent police. It is further submitted that the respondent has not conducted the investigation in a proper and impartial manner and therefore, the petitioner has filed Crl.O.P.(MD).No.3552 of 2015 for transfer of investigation and it is pending consideration.

4. Per contra, the learned Government Advocate (Crl.side) opposed the bail petition stating that the accused 1, 3, 6 and 17 are still absconding and the petitioner is having four previous cases to his credit and this application is too early, since he was arrested only on 25.05.2015.



5. The learned counsel for the petitioner further submitted that the petitioner has only one criminal case which was registered in the year 2012 in Crime No.170 of 2012 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C. and in Crime No.172 of 2012, the respondent laid charge sheet deleting the name of the petitioner and other three cases were filed under Section 107 Cr.P.C., which lapse. The learned counsel for the petitioner further submitted that except this petitioner, the accused arrested by the respondent police in this case were already released on bail.

6. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered 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 District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District and on further condition that the petitioner shall reside at Madurai and appear before the Tallakulam Police Station daily twice at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
26/06/2015

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE CHERANMAHADEVI, TIRUNELVELI DISTRICT.
2. THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4. THE INSPECTOR OF POLICE
VEERAVANALLUR POLICE STATION, TIRUNELVELI DISTRICT.
5. THE SUPERINTENDENT CENTRAL PRISON, PALAYAMKOTTAI.
6. THE OFFICER INCHARGE,
MADURAI TALLAKULAM POLICE STATION, MADURAI.

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.33977

ORDER
IN
CRL OP(MD) No.10537 of 2015
Date :26/06/2015

rg.29.06.2015 2p/8c.