



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

Monday, the Third day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.12806 of 2015

T.PANNEER SELVAM

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CBCID, TRICHY DISTRICT,
IN CRIME NO. 2 OF 2015

... RESPONDENT/COMPLAINANT

P.M.NEELAMEGAM

... INTERVENOR IN MP (MD) NO.1/15
IN CRL OP (MD) No.12806/2015

For Petitioner : M/S.K.M.KARUNAKARAN Advocate
For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)
For Intervenor : MR.A.PRASANNA RAJADURAI, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 was arrested on 10.06.2015 and remanded to judicial custody for the alleged offences punishable under sections 147, 148, 341 and 307 of IPC, in Crime No.2 of 2015 on the file of the respondent police and hence, seeks bail.

2.According to the de-facto complainant on 15.03.2013, the de-facto complainant received a call from one person called Sekar, who informed that some persons were conducting survey in his son's plot and thereafter, he rushed to the spot and found four persons standing there. It is the further case of the de-facto complainant that out of four persons, two were hold deadly weapons and the other two with sticks. While so, A1 directed the other accused to murder the de-facto complainant and immediately, he escaped from the scene of occurrence.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the occurrence said to have taken place on 12.03.2013 and the case is registered on 15.03.2013 and the petitioner was arrested on 10.06.2015 and he has been incarceration for more than 53 days. It is further submitted that though section 307 IPC has been included after transfer



of the case to the respondent, no one has sustained any injury and the petitioner has been implicated due to previous enmity.

4. Mr. A. Prasanna Rajadurai, learned counsel for the intervenor vehemently opposed granting of bail to the petitioner contending that the petitioner actively participated in the commission of the offence and the other accused are still at large; that the 2nd accused is an influential person, who was closely associated with the brother of the former Minister in Trichy and if he is released on bail, even the safe of the petitioner is at stake.

5. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate No.VI, Trichy and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
03/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
 - 3 THE INSPECTOR OF POLICE, CBCID, TRICHY DISTRICT.
 - 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.43486

ORDER IN
CRL OP(MD) No.12806 of 2015
Date : 03/08/2015