



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

Wednesday, the Fourth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1411 of 2015

THIRUPPATHY

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
VAIYAMPATTI POLICE STATION, TRICHY DISTRICT.
CRIME NO.268/2013 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.RAMU Advocate
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

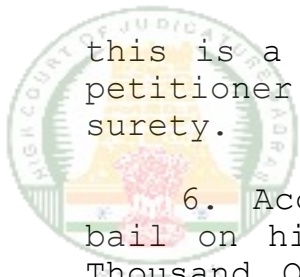
The petitioner, who was arrested and remanded to judicial custody on 09.10.2013 for the offence punishable under Section 302 I.P.C in Crime No.268 of 2013 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner had attacked his brother's wife with pestle and caused her death and on the very same day, the petitioner surrendered before the Village Administrative Officer and his confession statement was recorded and thereafter, the petitioner was remanded.

3. Heard the learned Counsel for the petitioner.

4. The learned Government Advocate(Crl.Side) would submit that the investigation has been completed and final report has been filed before the concerned Magistrate and after committal, the case was numbered as S.C.No.134 of 2014. He further submitted that about 8 witnesses have been examined and the remained Official witnesses have alone o be examined.

5. Taking into consideration the fact that the petitioner had resigned himself to fate and not even applied for bail and therefore the Legal Aid Committee has appointed Mr.M.Ramu, as learned Counsel for the petitioner, this Court is of the view that



this is a fit case to grant bail. It is also represented that the petitioner is an indigent person and he has no one to stand surety.

6. 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) without surety to the satisfaction of the learned Judicial Magistrate, Manapparai and on further condition that:

[a] the petitioner shall report before the respondent police on every Sunday at 06.30p.m until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

(e) The Inspector of Police concerned is directed to send compliance report to the Office of the learned Government Advocate (Crl.side), whether this petitioner is complying with the order or not.

sd/-

04/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 4. THE INSPECTOR OF POLICE
VAIYAMPATTI POLICE STATION, TRICHY DISTRICT.
 5. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
 - +1. CC to M/S.M.RAMU Advocate SR.No.5005
- RL/7 C- 6/2/2015

ORDER

IN

CRL OP(MD) No.1411 of 2015

Date : 04/02/2015