



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

Thursday, the Thirteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15305 of 2015

1 KANAGARAJ PANDIAN

2 MURUGESAN @ MUREGESA PANDIAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REPD. BY

THE INSPECTOR OF POLICE,

SIPCOT POLICE STATION,

TUTICORIN DIST. CR. NO.12/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

For Respondent : M/S. S.PRABHA, Govt. Advocate (Crl. Side)

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

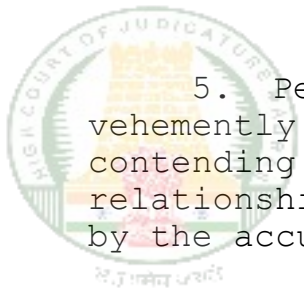
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.12 of 2015 on the file of the respondent police, was surrendered on 18.06.2015 for the alleged offences punishable under Section 302 of I.P.C. and subsequently, altered into 452, 379, 302 r/w. 120(b) of I.P.C., and hence, seek bail.

2. According to the prosecution, A3, who is the husband of the deceased developed intimacy with another lady, who is working as a Village Administrative Officer and since the deceased has objected the illicit intimacy, the third accused had engaged the accused 1, 2 and 4 and murdered the deceased on 09.01.2015.

3. The learned counsel for the petitioners submitted that the first accused is brother-in-law of the second accused and as per the confession of the other accused, the second accused had introduced the first accused with A3 and on 09.01.2015, the accused 1 and 4 had gone to the scene of occurrence and committed murder.

4. The learned counsel for the petitioners further submitted that the overt act attributed against the second accused is only introduction of the first accused with the third accused and he was not aware of the offence committed by the accused 1 and 4. It is further submitted that he is not pressing the petition for the first accused and he has also made an endorsement to that effect.



5. Per contra, the learned Government Advocate (Crl.side) vehemently opposed the granting of bail to the petitioners contending that the poor lady, who had objected the illicit relationship of her husband with another lady, was murdered brutally by the accused on 09.01.2015 and the investigation is till pending.

6. Considering the overt act attributed against the second accused, this Court is inclined to grant bail to the second petitioner with certain conditions and this petition is dismissed as withdrawn in respect of the first petitioner/A1. Accordingly, the second 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.I, Tuticorin, Tuticorin District and on further condition that the petitioner shall reside at Dindigul and report before the Dindigul Taluk Police Station daily twice at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
13/08/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I,
TUTICORIN, TUTICORIN DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE,TUTICORIN.
- 3.THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4.THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION, TUTICORIN DIST.
- 5.THE SUPERINTENDENT CENRAL PRISON, PALAYAMKOTTAI.
- 6.THE OFFICER INCHAGRE,
DINDIGUL TALUK POLICE STATION, DINDIGUL.

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.46222

ORDER

IN

CRL OP(MD) No.15305 of 2015

Date :13/08/2015

RG.13.08.2015

2P/8C.