



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

Monday, the Thirty First day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16126 of 2015

S.SEENI @ SEENIVASAN

... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
(CR NO. 318 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

For Respondent : MRS.S.PRABHA 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 accused No.4, in Crime No.318 of 2015 on the file of the respondent police, was arrested on 29.07.2015 for the alleged offences punishable under Sections 147, 148, 149, 302 @ 120(b), 109, 302 r/w. 34 of I.P.C., and hence, seeks bail.

2. According to the prosecution that on 12.07.2015 at 10.00 a.m., the accused have attacked the deceased with lethal weapons due to previous enmity and caused his death.

3. The learned counsel for the petitioner submitted that the petitioner's name does not find place in the F.I.R. and one Srinivasan, S/o.Muthuraj is named as an accused in this case and the petitioner has been wrongly arrested and detained unnecessarily. It is further submitted that even as per the prosecution, the petitioner has informed the movement of the deceased to the accused 1 to 3 and he has not caused any injury on the deceased.

4. The learned counsel for the intervenor vehemently opposed the granting of bail to the petitioner contending that this is a day light murder and the same has taken place in front of the Collectorate, Ramnad and the petitioner is the main accused in this case. It is further



submitted that immediately after the occurrence, the de-facto complainant has informed the respondent police that the prime accused is attempting to leave India and despite the same, the respondent has not taken any action to secure the accused and the de-facto complainant having not satisfied with the investigation conducted by the respondent, has preferred CrI.O.P.(MD).No.14858 of 2015 for transfer of investigation.

5. The learned Government Advocate (CrI.side) submitted that the occurrence had taken place on 12.07.2015 and as per the prosecution, the petitioner has informed the movement of the deceased to the other accused and major part of the investigation is over.

6. Considering the submissions of the learned counsel for the petitioner, 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 Judicial Magistrate No.II, Ramanathapuram and on further condition that the petitioner shall stay at Virudhachalam and report before the Virudhachalam Taluk Police Station daily at 10.00 a.m. until further orders.

sd/-
31/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
 - 2 DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 - 3 THE OFFICER INCHARGE,
VIRUDHACHALAM TALUK POLICE STATION, VIRUDHACHALAM.
 - 4 THE OFFICER INCHARGE, DISTRICT PRISON, RAMANATHAPURAM.
 - 5 THE INSPECTOR OF POLICE, KENIKARAI POLICE STATION,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.MURUGAN Advocate SR.No.49964

ORDER IN
CRL OP(MD) No.16126 of 2015
Date :31/08/2015