



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

Monday, the Twenty Third day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21421 of 2015

SIVA

... PETITIONER / ACCUSED No.5

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
TOWN NORTH POLICE STATION,  
DINDIGUL ,  
DINDIGUL DISTRICT,  
CR NO.1085 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.SELVARAJ Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate ( Crl. Side)

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

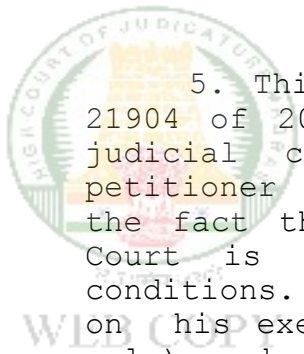
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.5, in Crime No.1085 of 2015 on the file of the respondent police, was arrested on 25.09.2015 for the alleged offences punishable under Sections 147, 148, 341 and 302 of I.P.C., altered into Sections 147, 148, 341, 302, 506(ii) read with Section 120(b) of I.P.C and hence, seeks bail.

2. The case of the prosecution is that on 21.09.2015 at 11.50 a.m, near Dindigul Union Office, the petitioner/A.5 and others assembled unlawfully with deadly weapons and A.1 and A.2 restrained the deceased Raja @ Jesuraja, who came to the Court for appearing in a case and the petitioner restrained the wife of the deceased and accused Nos.A1 to A4 cut him with knife all over the body and caused his death and threatened the witnesses with dire consequences.

3. The case of the petitioner is that petitioner is an innocent person and his name has been falsely implicated in the above Crime number and he surrendered before the learned judicial Magistrate, Melur on 25.09.2015 and he is in judicial custody for more than 57 days. There is no specific overt act attributed to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that other accused are still in custody and the petitioner restrained the wife of the deceased from securing the deceased and if the petitioner is released, there is a possibility of tampering the witnesses. The learned Principal District and Sessions Judge, Dindigul dismissed the petition for bail on 30.10.2015 filed by the petitioner.



5. This Court by an order dated 20.11.2015 made in Crl.O.P(MD)No. 21904 of 2015 enlarged the co-accused on bail. The petitioner is in judicial custody from 25.09.2015. Considering the fact that the petitioner is in judicial custody from 25.09.2015 and also Considering the fact that the co-accused has already been released on bail, 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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, No.II, Dindigul and on further condition that the petitioner shall appear before the respondent police daily twice i.e at 10.00 a.m. and 05.00 p.m until further orders.

sd/-  
23/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II  
DINDIGUL

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE  
DINDIGUL DISTRICT

3 THE OFFICER INCHARGE,  
DISTRICT PRISON  
DINDIGUL

4 THE INSPECTOR OF POLICE,  
TOWN NORTH POLICE STATION,  
DINDIGUL ,  
DINDIGUL DISTRICT,

5 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT  
MADURAI

+1. CC to M/S D.SELVARAJ Advocate SR.No.66894.

ORDER  
IN  
CRL OP(MD) No.21421 of 2015  
Date :23/11/2015

AM/24.11.2015/NGM.SS/SAR-II/2P/7C