



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

Monday, the Sixteenth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.2150 of 2015

WEB COPY

PERUMAL

... PETITIONER/SOLE ACCUSED

Vs

STATE.REP.BY

THE INSPECTOR OF POLICE

SIVANTHIPATTI POLICE STATION,

TIRUNELVELI DT,

CRIME 149/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R. JOHN SATHYAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

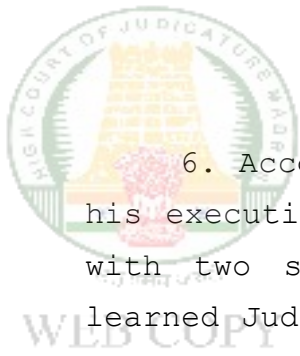
The petitioner, who was arrested and remanded to judicial custody on 04.12.2014 for the offence punishable under Section 302 I.P.C. in Crime No.149 of 2014 on the file of the respondent police, seeks bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3. The case of the prosecution is that the deceased and the accused were friends and that the deceased was having a relationship with the sister of the accused and that was not to the liking of the accused. On 03.12.2014, the body of the deceased was found near a well and a case of suspicious death was initially registered and the accused was arrested on 04.12.2014. Thereafter, on his confession, the police appeared to have recovered some articles. The accused is in incarceration from 04.12.2014.

4. The learned Government Advocate (Crl.Side) would submit that the investigation is almost completed and there is no previous case as against the petitioner.

5. Considering the facts and circumstances of the case, this Court
<https://hcservices.ecourts.gov.in/hcservices/>
is inclined to grant bail to the petitioner.



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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tirunelveli and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation.

[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 the petitioner is complying with the order or not.

sd/-
16/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 - 4 THE INSPECTOR OF POLICE
SIVANTHIPATTI POLICE STATION, TIRUNELVELI DT,
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R. JOHN SATHYAN Advocate SR.No.7230

ORDER
IN
CRL OP(MD) No.2150 of 2015
Date :16/02/2015