



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

Tuesday, the Twenty Fourth day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.22146 of 2015

ILAVARASAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY THE INSPECTOR OF POLICE
VELLANUR POLICE STATION,
PUDUKKOTTAI DISTRICT,
CR NO.24 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.ANANDKUMAR 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/Accused No.2, who was arrested and remanded to judicial custody on 27.09.2015 for the alleged offences punishable under Sections 147, 148, 307 and 302 of IPC, in Crime No.24 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the son of the defacto complainant gave financial assistance to one Sathya, paramour of the first accused, the first accused questioned the same, in order to escape from the motivation of the first accused, the deceased went to his uncle's house at Pasumalaipatti and at that time, the accused waylaid the deceased and attacked him and he died. Therefore, the case has been registered for the above said offences.

3. The case of the petitioner is that he has not committed any offence and there is no motive between the petitioner and the deceased and there is no specific overt-act attributed against the petitioner in causing injury to the deceased.

4.The learned counsel for the petitioner submitted that there is a huge delay in registering the FIR and the delay has not been properly explained by the prosecution. Due to the delay, the petitioner has been falsely implicated in this case. He further submitted that A7 and A8 were arrested and released on bail in Crl.O.P.(MD)No.20747 of 2015 on 29.10.2015.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused Nos.7 & 8 were arrested and <https://hcservices.mca.gov.in/hcservices/> by this Court in Crl.O.P.(MD)No.20747 of 2015 and the petitioner is in judicial custody from 27.09.2015, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the



petitioner is ordered to be released on bail and on 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, Pudukkottai and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
24/11/2015

WEB COPY

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PUDUKKOTTAI
 2. THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT
 3. THE INSPECTOR OF POLICE, VELLANUR POLICE STATION,
PUDUKKOTTAI DISTRICT,
 - 4 THE SUPERINTENDENT CENTRAL PRISON, TRICHY
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT MADURAI
- +1. CC to M/S J.ANANDKUMAR Advocate SR.No.67204

ORDER
IN
CRL OP(MD) No.22146 of 2015
Date :24/11/2015

GJM/JGB/SARII-25.11.15-2P-7C