



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4756 of 2015

VINAYAGAMOORTHY

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
NAGUDI POLICE STATION,
PUDUKOTTAI DISTRICT.
(CRIME NO. 2 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.RAMU Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 27.01.2015, for the offence punishable under Section 302 of the Indian Penal Code, in Crime No.2 of 2015, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased, in this case, is the paternal uncle of the petitioner herein. It is alleged that the petitioner demanded money for taking liquor and when the deceased refused to give the same, the petitioner attacked the deceased with reaper resulting in his death. The petitioner was arrested on 27.01.2015 and is in incarceration since then and investigation is almost complete.

3. In such circumstances, this Court is inclined to grant bail to the petitioner. 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, of which one should, compulsorily, be either parent, each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi and on further condition that:

[a] the petitioner shall report before the respondent police daily at 06.30 PM for a period of two 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]**.



The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-

30/03/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, ARANTHANGI, PUDUKOTTAI DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, NAGUDI POLICE STATION, PUDUKOTTAI DISTRICT.

5 THE OFFICER IN CHARGE, SUB JAIL, ARANTHANGI, PUDUKOTTAI DISTRICT.

+1. CC to M/S.M.RAMU Advocate SR.No.15749

ORDER IN

CRL OP(MD) No.4756 of 2015

Date :30/03/2015

PBK 30/03/2015 ::2P-7C: