



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

Thursday, the Ninth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.5044 of 2015

ANBU RAJ

... PETITIONER / ACCUSED NO.8

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ARUMUGANERI POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.61 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is A8 and he was arrested and remanded to judicial custody on 28.02.2015 for the alleged offences punishable under sections 302, 324 and 506(ii) of IPC @ 147, 324, 302, 506(ii) and 120(B) of IPC, in Crime No.61 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that two days prior to this occurrence, one Iyyappan of Keeranur was done to death and one Vishnukumar and Muthukrishnan were arrayed as accused in this case. The present petitioner suspected that the deceased Sivaperumal was helping the accused persons for murdering Iyyappan, developed animosity and on 24.02.2015 A1 Ramasubramanian along with some other persons went to the office of the deceased and attacked him with lethal weapons.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the name of the petitioner is not found place in the FIR and he has been falsely implicated in this case, based on the confession of the 5th accused Thasleem Ali and even as per the confession of A5, the petitioner was not a conspirator for the occurrence and he only stated that he will provide financial assistance to the accused persons.



4.It is further submitted by the learned counsel for the petitioner that the petitioner has been in judicial custody for more than 45 days.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the main accused have been arrested and remanded to judicial custody and the petitioner was implicated only on the confession of the co-accused and A4 and A7 are still at large and the major portion of the investigation is over.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in jail since 28.02.2015, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail, on his executing a personal 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, Tiruchendur, Thoothukudi District and on further condition that **the petitioner shall stay at Madurai and report before the Inspector of Police, attached to Tallakulam Police station, Madurai, daily at 10.00 a.m. until further orders.**

sd/-
09/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR, THOOTHUKUDI DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
 - 3 THE INSPECTOR OF POLICE, ARUMUGANERI POLICE STATION, THOOTHUKUDI DISTRICT.
 - 4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 - 5 THE INSPECTOR OF POLICE, TALLAKULAM POLICE STATION, MADURAI.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.ANAND, Advocate SR.No.18346.