



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.5233 of 2015

1 SANKAR @ SANKAR GANESH

2 ESAKKI

... PETITIONERS/ ACCUSED 1 & 2

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO. 2 OF 2015.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

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

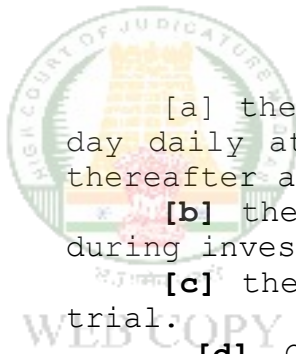
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 06.01.2015 and 09.01.2015, respectively, for the offence punishable under Sections 341, 294(b), 302, 506(ii) IPC altered into Sections 341, 294(b), 302, 506(ii) r/w 120(B) of the Indian Penal Code, in Crime No.2 of 2015, on the file of the respondent police, seek bail.

2. The case of the prosecution is that one Raj who is father of R.Sankar @ Sankar Ganesh, the first petitioner herein, had illicit intimacy with the daughter of the deceased and he eloped with her and ran away and thereafter, he had left her and committed suicide. Aggrieved by this, the petitioners herein appear to have attacked the deceased on 02.01.2015 and he succumbed to the injuries. The second petitioner herein is the brother of the said Raj and he was arrested on 06.01.2015. The first petitioner herein is the son of the said Raj and he was arrested on 09.01.2015.

3. It is represented by the learned Government Advocate [Criminal Side] that there is no previous case against these petitioners.

4. Taking into consideration the fact that the investigation is almost complete, this Court is of the view that this is a fit case to grant bail/this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their 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, Valliyoor and on further condition that:



[a] the petitioners shall report before the respondent police twice a day daily at 10.30 a.m., and 06.30 p.m., for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners are complying with the order or not.

sd/-
30/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI.

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

4 THE INSPECTOR OF POLICE RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.15782.

TS/31.03.2015/2P-7C

ORDER
IN
CRL OP(MD) No.5233 of 2015
Date :30/03/2015