



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

Wednesday, the First day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5811 of 2015

GOPAL

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR,
CRIME NO.1029/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.N.ANANDAKUMAR Advocate

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

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

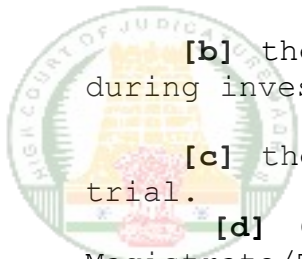
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 07.01.2015, for the offence punishable under Section 302 of the Indian Penal Code, in Crime No.1029 of 2014, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased - Sathya and this petitioner were doing chit business, in which it is alleged that this petitioner had failed to repay money to several subscribers. Therefore, a case in Crime No.5 of 2013 was registered against this petitioner in respect of the chit transaction. While so, Sathya was found murdered on 29.12.2014, with stab injuries. According to the version of the eye witness, while Sathya was standing on the Flower Market Road, a person came in a Motorcycle and stabbed her and ran away. Based on suspicion, this petitioner was being searched by the police and this petitioner surrendered before the learned Judicial Magistrate, Karur, on 05.01.2015 and was taken into custody on 07.01.2015. The alleged motive is that this petitioner was having an affair with the said Sathya and that he suspected that she was also having an affair with someone else. Yet another motive projected is that Sathya cheated this petitioner in the chit business.

3. Be that as it may, this petitioner is in incarceration since 07.01.2015 and investigation is almost complete. 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, each for a like sum to the satisfaction of the learned Judicial Magistrate, No.I, Karur and on further condition that:

<https://hcservices.courts.gov.in/hcservices/>
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]**.

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/-
01/04/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I,KARUR.
 - 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE KARUR.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR.
 - 5.THE SUPERINTENDENT CENTRAL PRISON, TRICHY.
- +1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.16353

ORDER
IN
CRL OP(MD) No.5811 of 2015
Date :01/04/2015

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