



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

Tuesday, the Twenty First day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7392 of 2015

SANKARAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALANGULAM POLICE STATION, TIRUNELVELI

DISTRICT. CR. NO.135/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.ANGUSAMY Advocate

For Respondent : MR.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 A2 and he was arrested on 06.03.2015 and remanded to judicial custody for the alleged offences punishable under sections 174, 148, 341, 294(B), 302 of IPC @ 341, 294(B), 302 of IPC @ 120(B), 341, 294(B), 302, 201 and 212 of IPC, in Crime No.135 of 2015 on the file of the respondent police and hence, seeks bail.

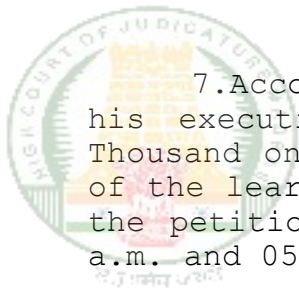
2.The case of the prosecution is that the wife of A2, namely Kaliammal eloped with the deceased one year prior to the occurrence and due to which, the accused persons conspired together and murdered the deceased.

3.The learned counsel 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 on the date of occurrence, the deceased attempted to misbehave with the wife of A2 and therefore, he was attacked by A1 and the petitioner and other accused persons have been falsely implicated in this case.

4.It is further submitted that on the basis of the complaint given by the wife of the deceased, the respondent police originally registered a case against five persons and thereafter, restricted to three persons, which shows that the entire case is false.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted that A1 has attacked the deceased with knife and the petitioner is a conspirator to the alleged murder of the deceased and A1 and A3 were arrested and remanded to judicial custody and subsequently, A3 was released on bail by the trial court.

6.Considering the facts and circumstances of the case and also overtact attributed against the petitioner and the petitioner is in jail since 06.03.2015, 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, Tenkasi and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. and 05.00 p.m. until further orders.

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sd/-  
21/04/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, TENKASI.
  2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
  3. THE ADDL. PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
  4. THE SUPERINTENDENT CENTRAL PRISON, PALAYAMKOTTAI.
  5. THE INSPECTOR OF POLICE  
ALANGULAM POLICE STATION, TIRUNELVELI DISTRICT.
- +1. CC to M/S.V.ANGUSAMY Advocate SR.No.20542

ORDER  
IN  
CRL OP(MD) No.7392 of 2015  
Date :21/04/2015

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