



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

Monday, the First day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9567 of 2015

SURESH@KASINIVENTHAN@ASIRVATHARAJ ... PETITIONER / ACCUSED NO.8

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CBCID, TUTICORIN WING,
IN CRIME NO. 2 OF 2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.DURAIRAJ Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.RAJENDRAN, ADVOCATE

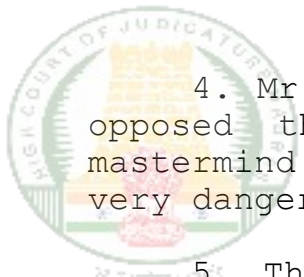
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A8 in Crime No.2 of 2015 on the file of the respondent police, was arrested on 17.03.2015 for the alleged offences punishable under Sections 302, 294(b), 120(b), 506(ii) of I.P.C. r/w. 3(2)(v) of SC/ST (PoA) Act and Section 25 (1) (A) of Arms Act and hence, seeks bail.

2. The case of the prosecution is that on 22.02.2015, at about 8.30 p.m., the accused have attacked the son of the de-facto complainant and caused his death.

3. The learned counsel for the petitioner submitted that the petitioner was implicated based on the confession statement of A6 viz., Muthupandi on 09.03.2015. It is further submitted that the accused 1 to 5 were arrested on 26.02.2015 and they have not implicated this petitioner in their confession and according to the prosecution, he has instigated the other accused to commit the offence. The learned counsel for the petitioner also submitted that the investigation is over and the respondent has also laid charge sheet in this case. The learned counsel for the petitioner further submitted that the police have filed cases against the petitioner from the year 1994 and in all the previous cases, he was acquitted and only one case registered in 2015 for the alleged offences under Sections 294(b), 323 and 506(i) of I.P.C. alone is pending investigation and in that case also he has filed a petition to quash the F.I.R. in Crl.O.P.(MD).No.1828 of 2015.



4. Mr.Rajendran, learned counsel for the intervenor vehemently opposed the bail petition stating that the petitioner is a mastermind for the occurrence and if he is granted bail, there is very danger for the life of the de-facto complainant.

5. The learned Government Advocate (Crl.side) submitted that the petitioner has involved in cases from the year 1994 and as per the confession of A6, the petitioner has involved commission of this crime.

6. Considering the fact that the petitioner is one of the conspirators of the alleged occurrence and the respondent had already laid charge sheet and the case was taken on file as P.R.C.No.8 of 2015, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on 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.1, Kovilpatti, Tuticorin District and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
01/06/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

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

4.THE SUPERINTENDENT CENTRAL PRISON, CUDDALORE.

5.THE INSPECTOR OF POLICE
CBCID, TUTICORIN WING.

+1. CC to M/S.S.R.DURAIRAJ Advocate SR.No.26581

ORDER
IN
CRL OP(MD) No.9567 of 2015
Date :01/06/2015

rg.01.06.2015

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