



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

Wednesday, the Third day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9723 of 2015

JEYAPRAKASH

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT,
(CRIME NO.28 OF 2015). ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU 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 :-

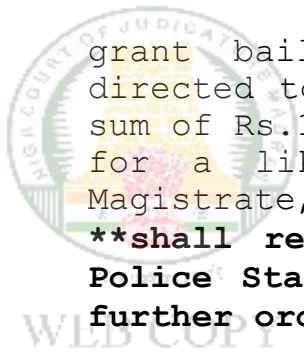
The petitioner, who is arrayed as A5 in Crime No.28 of 2015 on the file of the respondent police, was surrendered and remanded to judicial custody on 16.03.2015 for the alleged offences punishable under Sections 147, 148, 294(b), 307, 302, 120(b) and 109 of I.P.C., and hence, seeks bail.

2.According to the prosecution, on 15.03.2015 due to previous motive, A1 to A4 have attacked the deceased with lethal weapons, while the petitioner/
A5 was watching the movement of the deceased.

3.The learned counsel for the petitioner submitted that the petitioner has been incarceration for more than 78 days and even according to the prosecution, he was not involved in the commission of offence. He further contended that A1 to A4 were already arrested and remanded to judicial custody.

4.The learned Government Advocate (crl.side) would submit that the petitioner was implicated on the basis of the confession of A1 and according to the confession, he was watching the movement of the deceased and the same was informed to the other accused.

5.Considering the nature of the allegation made against the petitioner and period of incarceration, this Court is inclined to



grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on 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, Nanguneri and on further condition the the petitioner ****shall reside at Trichy and report before the Trichy Cantonment Police Station daily twice at 10.00 a.m., and 05.00 p.m., until further orders.**

sd/-
03/06/2015

****Corrected as per order
dt.11.06.2015**

/ TRUE COPY /

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

TO

(To be substituted for the order already despatched)

- 1.THE JUDICIAL MAGISTRATE NANGUNERI.
- 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4.THE SUB INSPECTOR OF POLICE
MOONDRADAIPPU POLICE STATION, TIRUNELVELI DISTRICT,
- 5.THE OFFICER INCHARGE, SUB JAIL, MELUR.
- 6.THE OFFICER INCHARGE, TRICHY CANTONEMNT POLICE STATION,
TRICHY

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.30386

ORDER
IN
CRL OP(MD) No.9723 of 2015
Date :03/06/2015

RG.03.06.2015 2P.7C.
AA/15.06.2015/2p - 8c/ (CORRECTED ORDER)