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

Tuesday, the Seventh day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12566 of 2015

ARUMUGAM ... PETITIONER/ ACCUSED No.7

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ARUMUGANERI POLICE STATION, THOOTHUKUDI DIST.
(CRIME NO. 61 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.ANGAPPAN Advocate

For Respondent : M/S.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 A7 in Crime No.61 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 21.04.2015 for the alleged offences punishable under Sections 302,324,506(ii) of IPC @ 147, 120(b), 302, 324 and 506(ii) of IPC, and hence, seeks bail.

2.The case of the prosecution is that due to previous motive between the first accused and deceased, all the accused are joined together and attacked with lethal weapons.

3.The learned counsel for the petitioner submitted that the deceased is an accused in murder case, in which the brother of the first accused was done to death. He further submitted that, on the date of occurrence i.e. 24.02.2015, the first accused and the deceased have developed altercation and thereafter, the accused attacked him with knife. It is further submitted that the prime accused A1 and A2 were already arrested and released on bail. The petitioner has incarceration for more than 70 days.

4.The learned Government Advocate (Crl.side) would submit that due to previous motive the accused have eliminated the deceased on 24.02.2015 and the major part of the investigation is over. He further submitted that the co-accused were already released on bail as per the order of the learned Principal Sessions Judge, Thoothukudi in Crl.M.P.Nos.1281 and 1035 of 2015 on 28.04.2015 and 30.04.2015 respectively.

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5.Considering the facts and circumstances of the case and also considering the fact that the co-accused were released on bail, this Court is inclined to grant bail to the petitioner with certain conditions.

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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, Thiruchendur and on further condition that the petitioner shall appear before the respondent Police daily at 10.00 a.m until further orders.

sd/-
07/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

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

4 THE INSPECTOR OF POLICE
ARUMUGANERI POLICE STATION, THOOTHUKUDI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S. JEYAKARTHIK, Advocate SR.No. 36779.

TS/08.07.2015/2P -7C

ORDER
IN
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Date :07/07/2015

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