



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

Monday, the Fourth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD)Nos.24853 and 24868 of 2015

1 VARATHARAJAN
2 VELUCHAMY

..PETITIONERS/ACCUSED 1 AND 2
in CRL OP(MD)No.24853 of 2015
..PETITIONERS/ACCUSED 2 AND 3
in CRL OP(MD)No.24868 of 2015

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION,
VIRUDHUNGAR DISTRICT.
IN CRIME NO.275 OF 2015

..RESPONDENT/COMPLAINANT
in CRL OP(MD)No.24853 of 2015

STATE REP.BY INSPECTOR OF POLICE
ARUPPUKOTTAI TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.277 OF 2015

..RESPONDENT/COMPLAINANT
in CRL OP(MD)No.24868 OF 2015

For Petitioners
in Both the Petitions : M/S M.JEGADEESH PANDIAN Advocate
For Respondents
in Both the Petitions : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITIONS FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1 & 2 in Crl.O.P(MD)No.24853 of 2015, who were arrested and remanded to judicial custody on 14.10.2015 for the alleged offences punishable under Sections 302 of IPC altered into 147, 148, 341, 342, 294(b), 302 r/w 120(B) of IPC, in Crime No.275 of 2015 on the file of the respondent police and the accused Nos.2 & 3 in Crl.O.P(MD)No.24868 of 2015, who were arrested and remanded to judicial custody on 14.10.2015 for the alleged offences punishable under Sections 147, 148, 341, 201, 302 of IPC r/w Section 120(B) of IPC and Section 4 of TNPPDL Act, in Crime No.277 of 2015 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that on 09.10.2015 the petitioners and others murdered Muniyasamy and one Ganesan and therefore, two cases have been registered in Cr.Nos.275 and 277 of 2015.



3. According to the petitioners, the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. There is a property dispute between the petitioners and Ganesan/deceased, a civil suit is pending. Pending suit, the said Ganesan sold the property to one Jeyabalan, who is the brother-in-law of the deceased Muniyasami. Due to the civil dispute, petitioners have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that the petitioners and others conspired together and murdered the deceased Ganesan and Muniyasami and it is a pre-planned murder and the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 14.10.2015, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on each of them 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.II, Virudhunagar and on further condition that the petitioners shall appear before the Aruppukottai Taluk Police Station daily at 10.00 a.m., until further orders.

sd/-
04/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1. THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.
2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4. THE OFFICER-IN-CHARGE, DISTRICT PRISON, VIRUDHUNAGAR.
5. THE INSPECTOR OF POLICE SOOLAKARAI POLICE STATION, VIRUDHUNAGAR DIST.
6. THE INSPECTOR OF POLICE,
ARUPPUKOTTAI TALUK POLICE STATION, VIRUDHUNAGAR DISTRICT.

+2CC to M/S M.JEGADEESH PANDIAN Advocate SR.Nos.142 and 143

akm/04.01.2016/2p-9c/GSV/AN/SAR-I