



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

Wednesday, the Sixth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI
CRL OP(MD)Nos.113 and 116 of 2016

WEB COPY

1 KANNAN
2 ALAGUSAMY
3 RAJASEKARAN
4 SAMAYAKARUPPASAMY

..PETITIONERS/ACCUSED 1,8 TO 10
in CRL OP(MD)No.113 of 2016

1 RAJASEKARAN
2 SAMAYAKARUPPASAMY
3 KANNAN
4 ALAGUSAMY

..PETITIONERS/ACCUSED 3 TO 6
in CRL OP(MD)No.116 of 2016

Vs.

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

... RESPONDENT/COMPLAINANT
in CRL OP(MD)No.113 of 2016

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.116 of 2016

For Petitioners
in Both the Petitions : M/S.M.JEGADEESH PANDIAN Advocate
For Respondent
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 in Crl.O.P(MD)No.113 of 2016/Accused Nos.1, 8 to 10 were arrested by the respondent police on 15.10.2015 for the alleged offences punishable under Sections 147, 148, 341, 201, 302 of I.P.C r/w Section 120(B) of I.P.C and Section 4 of TNPPDL Act , in Crime No.277 of 2015 on the file of the respondent police and the petitioners in Crl.O.P(MD)No.116 of 2016/Accused Nos.3 to 6 were arrested by the respondent police on 15.10.2015 for the alleged offences punishable under Section 302 of I.P.C @ 147, 148, 341, 342, 294(b), 302 r/w 120(B) of I.P.C, in Crime No.275 of 2015 on the file of the respondent police and hence, seek bail.

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2. The case of the prosecution is that on 09.10.2015, the petitioners and others murdered one Muniyasamy and Ganesan and



therefore, two cases have been registered in Crime 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 civil dispute, petitioners have been falsely implicated in this case. He further submitted that the co-accused have been enlarged on bail by this Court in Crl.O.P(MD)No.24853 and 24868 of 2015, vide order dated 04.01.2016.

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 similarly placed accused were enlarged on bail and the petitioners are in judicial custody from 15.10.2015, 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) (in each case) 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 respondent police daily at 10.00 a.m. until further orders.

sd/-

06/01/2016

/ 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, ARUPPUKOTTAI TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.

6 THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION, VIRUDHUNGAR DISTRICT.

+2CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.642 and 643

akm/06.01.2016/2p-9c/MP/PM/SAR-I ORDER

IN

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CRL OP(MD)Nos.113 and 116 of 2016

Date :06/01/2016