



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11434 of 2016

1 PONRAJ,
2 VIJAYAKUMAR,

... PETITIONERS/ACCUSED RANK NOW KNOWN

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
KOTTAMPATTI POLICE STATION, MADURAI DISTRICT.
CRIME NO.180 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.R.PRITHIVIRAJ Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused, who were arrested and remanded to judicial custody on 29.04.2016 for the alleged offence punishable under Section 302 IPC, in Crime No.180 of 2016, on the file of the respondent police and hence, seek bail.

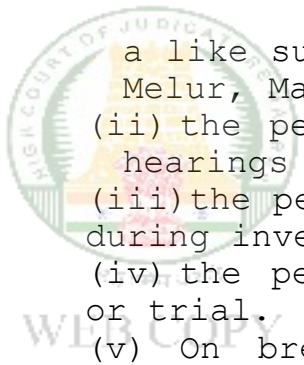
2.The case of the prosecution is that on 28.04.2016, the respondent police found an unidentified dead body in the coconut grove of one Muthukumarasamy of Pottapatti Village and later the dead body was identified as one Mani. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners name are not found place in the FIR and the petitioners are in judicial custody from 29.04.2016.

4.The learned Government Advocate(Crl.side) submitted that the petitioners murdered the deceased and investigation has been completed and charge sheet is filed and the police are awaiting for opinion of the Public Prosecutor.

5.Considering the facts and circumstances of the case and also considering the fact that investigation has been completed and the petitioners are in judicial custody from 29.04.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

(i)Each of the petitioners shall execute 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, Melur, Madurai District.
(ii) the petitioners shall report before the said Court for future hearings regularly.
(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
(iv) the petitioners shall not abscond either during investigation or trial.
(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
13/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE, KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.R.PRITHIVIRAJ Advocate SR.No.36091

JA-NGM-MP-SAR.1/13.07.2016/2P:7C

ORDER IN
CRL OP(MD) No.11434 of 2016
Date :13/07/2016