



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

Thursday, the Eighteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15055 of 2016

VANAMURUGAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MEINGANAPURAM POLICE STATION,
TUTICORIN DISTRICT.
CR. NO.111/2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S N.ANANDAKUMAR Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

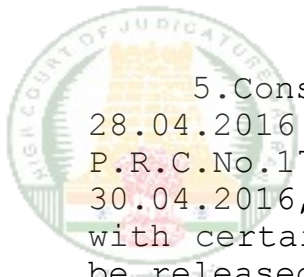
ORDER : The Court Made the following order :-

The petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 30.04.2016 for the alleged offences punishable under Sections 449 and 302 IPC, in Crime No.111 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 28.04.2016, due to previous motive between the petitioner and the deceased regarding usage of empty space, the petitioner attacked the deceased and caused death, when the deceased was alone at home during night hours. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 30.04.2016.

4.The learned Government Advocate (Crl. side) submitted that due to previous motive, the petitioner attacked the deceased and caused death and investigation has been completed and charge sheet has been filed and taken on file in P.R.C.No.17 of 2016.



5. Considering the fact that the occurrence took place on 28.04.2016 and charge sheet has been filed and taken on file in P.R.C.No.17 of 2016 and the petitioner is in judicial custody from 30.04.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner 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, Sathankulam.
- (ii) the petitioner shall report before the said Court on all future hearings regularly.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

18/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATHANKULAM.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 5 THE INSPECTOR OF POLICE, MEINGANAPURAM POLICE STATION, TUTICORIN DISTRICT.

+1. CC to M/S N.ANANDAKUMAR Advocate SR.No.45472.

ORDER

IN

CRL OP(MD) No.15055 of 2016

Date : 18/08/2016