



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

Monday, the Seventeenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18881 of 2016

P.MURALIRAJA

..PETITIONER/ACCUSED

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

THURAIYUR POLICE STATION,

TRICHY DISTRICT.

(CRIME NO.180/2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SEKAR Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused, who was arrested on 19.07.2016 for the offence punishable under Section 302 IPC in Crime No.180 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to property dispute, the deceased was done to death.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been in custody from 19.07.2016 and even after 90 days, the respondent has not filed charge sheet.

4. The learned Government Advocate(Crl. Side) would submit that charge sheet is yet to be filed and chemical analysis report alone is awaited.

5. Considering the facts and circumstances of the case and that the petitioner has been in custody for 90 days and charge sheet is yet to be filed, this Court is inclined to grant bail to the petitioner. **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 Judicial Magistrate, Thuraiyur;



(ii) the petitioner is directed to appear before the respondent police at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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 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 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/-

17/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR, TRICHY DISTRICT.
- 2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, THURAIYUR POLICE STATION, TRICHY DISTRICT.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S.S.SEKAR Advocate SR.No.60976

ORDER IN
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Date :17/10/2016

PBK/CK/SAR-I 17/10/2016 ::2P-7C: