



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

Wednesday, the Nineteenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.19824 of 2016

1 KARTHIGAI SELVI,
2 RAKKU

... PETITIONERS / ACCUSED NO.2 & 4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ARUPPUKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO.540 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.JAYARAMACHANDRAN Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

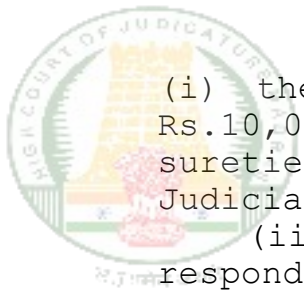
The petitioners/A2 and A4, who were arrested on 18.07.2016 for the offences punishable under Sections 364, 342, 302, 397, 506(ii) and 201 IPC in Crime No.540 of 2016 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 15.07.2016 a male dead body was found in a canal running near Jeyavilas Gardan. Based on the complaint of the de facto complainant, who is the Village Administrative Officer at Palayampatti Village, the respondent Police registered a case and arrested the petitioners on 18.07.2016.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody for more than 90 days.

4.Heard the learned Government Advocate(Crl. Side) on the above submission.

5.Considering the facts and circumstances of the case and that the petitioners have been in custody for 90 days, this Court is inclined to grant bail to the petitioners. Accordingly, **the petitioners are ordered to be released on bail** subject to the following conditions:



(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Aruppukkottai;

(ii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

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

19/10/2016

/ TRUE COPY /

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

NBJ

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE,
ARUPPUKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 5 THE OFFICER INCHARGE, SPECIAL WOMEN PRISON,
CENTRAL PRISON, MADURAI.

+1. CC to M/S.A.JAYARAMACHANDRAN Advocate SR.No.61555

GJM/GSV/PM/SAR-II-20.10.16-2P-7C

ORDER

IN

CRL OP(MD) No.19824 of 2016

Date : 19/10/2016