



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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20505 of 2016

CHELLADURAI

... PETITIONER/2nd ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
MATHAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.184 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.S.SATHEESHKUMAR, ADVOCATE
FOR RESPONDENT : Mr.A.P.BALASUBRAMANI, GOVT. ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 02.10.2016 for the offences punishable under Sections 294 (b), 323, 506(ii) of I.P.C @ 302, 201 of Indian Penal Code in Crime No.184 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused caused the death of the deceased.

3. The learned counsel appearing for the petitioner would submit that the petitioner is no way connected with the offence and he has been implicated in this case based on the confession given by the first accused.

4. Heard the learned Government Advocate(Crl. Side) appearing for the respondent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing 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 No.I, Sivagangai and on further condition that:

<https://hcservices.ecourts.gov.in/ficservices/>

[a] the petitioner shall stay at Thiruthani and appear before



the Temple Police station, daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
26/10/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.
 2. THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
MATHAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
 5. THE OFFICER-IN-CHARGE,
TEMPLE POLICE STATION, THIRUTHANI.
 6. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- +1. CC to M/S.S.SATHEESHKUMAR Advocate SR.No. 63731

ORDER IN
CRL OP(MD) No.20505 of 2016
Date :26/10/2016