



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

Monday, the Seventh day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21047 of 2016

RAJ @ KUPPURAJ

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,

TIRUNELVELI TOWN POLICE STATION,

TIRUNELVELI DISTRICT.

(CRIME NO.614 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner / A1, who was arrested on 19.10.2016 for the offences punishable under Sections 174 Cr.P.C @ 306 & 420 IPC and Section 4 of TNP Charging Exorbitant Interest Act, 2003 in Crime No.614 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner gave loan to the deceased namely, Nallakannu. Since the deceased failed to repay the loan amount, the petitioner along with other accused abused the deceased and threatened him with dire consequences. Hence, the said Nallakannu, his wife and his daughter committed suicide by consuming poison. However, except his daughter, the said Nallakannu and his wife died.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 19.10.2016 onwards. He would also submit that A2 and A3 were enlarged on bail.

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

5.Considering the facts and circumstances of the case and also taking note of the fact that co accused were enlarged on bail and the petitioner is in custody from 19.10.2016 onwards, 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 No.IV, Tirunelveli;

(ii) the petitioner is directed to appear before the respondent police daily 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/-

07/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TIRUNELVELI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

+1. CC to M/S.N.MOHIDEEN BASHA Advocate SR.No.66225

ORDER IN
CRL OP(MD) No.21047 of 2016
Date : 07/11/2016

PBK/SK-SKN/SAR-J 07/11/2016 :: 2P-7C: