



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

Friday, the Ninth day of December Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.22971 of 2016

1 RAMARAJ
2 KAMALRAJ

... PETITIONERS/ACCUSED No.1&2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
MAYANUR POLICE STATION,
KARUR DISTRICT.
(CRIME NO.325 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.BALAJI Advocate

For Respondent : Mrs.S.PRABHA, Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 & A2, who were arrested and remanded to judicial custody on 02.10.2016 for the offence punishable under Section 307 altered into Section 302 IPC in Crime No.325 of 2016 on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to wordy quarrel on account of previous enmity, the petitioners along with other accused pushed down the deceased, which resulted in his death.

3. The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case and they have been undergoing incarceration since 02.10.2016

4. Heard the learned Government Advocate (Crl.Side) on the above submission, who would submit that this is 2nd bail petition and the earlier one was dismissed by this Court on 07.11.2016, She would further submit that investigation of the case is almost complete.

5. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is in custody from 02.10.2016 and also the fact that investigation of the case is almost over, 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) each of the petitioners 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 No.II, Kulithalai, Karur District;

(ii) the petitioners shall report 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 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/-

09/12/2016

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI, KARUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, MAYANUR POLICE STATION, KARUR DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.BALAJI Advocate SR.No.80212

ORDER

IN

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Date : 09/12/2016