



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

Friday, the Ninth day of December Two Thousand Sixteen

PRESENT

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The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.23065 of 2016

MURUGAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALANKULAM TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
[CRIME NO.356 of 2016]

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MAHENDRAN for M/S.C.R.PONNUTHAI, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/A2, who surrendered and was remanded to judicial custody on 05.10.2016 for the offence punishable under Section 302 IPC in Crime No.356 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased is the father of the 1st accused, who, suspecting that the deceased father would have caused the death of his mother, murdered the deceased along with other accused, which resulted in registration of the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and that he has been undergoing incarceration since 05.10.2016

4. Heard the learned Government Advocate (Crl.Side) on the above submission, who would 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 investigation of the case is over, 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:**



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(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 learned Judicial Magistrate, Tenkasi;

(ii) the petitioner shall report 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/-

09/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE INSPECTOR OF POLICE, ALANKULAM TOWN POLICE STATION, TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

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

+1. CC to M/S.C.R.PONNUTHAI, Advocate SR.No.80313.

ORDER IN

CRL OP(MD) No.23065 of 2016

Date :09/12/2016

msm/ck/sar3/09.12.16/p2/7c