



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

Tuesday, the Twentieth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23586 of 2016

PERYARAJ

... PETITIONER/ACCUSED No.2

Vs

THE INSPECTOR OF POLICE,
UDAYALIPATTI POLICE STATION,
PUDUKOTTAI,
CR NO. 82 OF 2016.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.P.GANAPATHISUBRAMANIAN, ADVOCATE

FOR RESPONDENT : Mr.P.KANDASAMY, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

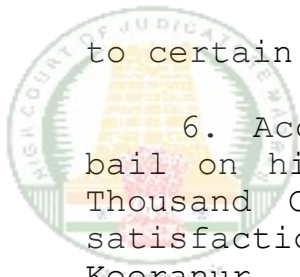
The petitioner, who was arrested and remanded to judicial custody on 31.10.2016, for the offences punishable under Sections 294(b), 341, 324 and 302 of IPC., in Crime No.82 of 2016, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous motive, the petitioner, who is arrayed as A2, along with other accused murdered the deceased.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (crl.side) appearing for the respondent submitted that totally there are four accused in this case and the petitioner herein is arrayed as A2. He would further submit that A1 in this case attacked the deceased on his head with Aruval and the present petitioner has attacked the deceased with stick on his hands and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also the alleged overt act attributed against the petitioner herein and also considering the period of incarceration of the petitioner, I am inclined to grant bail to the petitioner subject



to certain conditions.

6. 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 District Munsif cum Judicial Magistrate, Keeranur, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10 a.m., until further orders, for interrogation.

[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]**.

sd/-
20/12/2016

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KEERANUR.
2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE
UDAYALIPATTI POLICE STATION,
PUDUKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

+1. CC to M/S.P.GANAPATHISUBRAMANIAN Advocate SR.No. 82119

ORDER IN
CRL OP(MD) No.23586 of 2016
Date :20/12/2016