



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

Friday, the Twenty Third day of December Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.23872 of 2016

MURUGESAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY

THE INSPECTOR OF POLICE

ILLUPPU POLICE STATION, PUDUKKOTAI DIST,

CRIME NO.146/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.P.KANDASAMY, 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 04.11.2016, for the offence punishable under Section 302 of IPC., in Crime No.146 of 2016, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, who is the brother of the deceased, attacked the deceased with stone on his head and caused death.

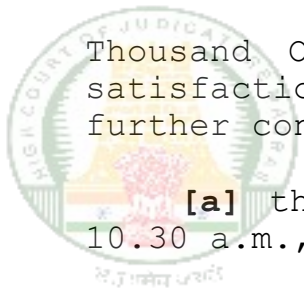
3. The learned counsel for the petitioner submitted that the petitioner is the brother of the deceased and due to sudden provocation, the petitioner attacked the deceased and he died.

4. The learned Government Advocate (crl.side) submitted that investigation is over and charge sheet was filed but not taken on file. The petitioner was arrested and he is in custody from 04.11.2016 onwards.

5. Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner subject to certain conditions.

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

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 Judicial Magistrate, Keeranur, and on further condition that:

[a] the petitioner shall report before the concerned court at 10.30 a.m., until further orders.

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

[c] the petitioner shall not abscond either during 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/-
23/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
KEERANUR
- 2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT
- 3 THE INSPECTOR OF POLICE
ILLUPPU POLICE STATION, PUDUKKOTAI DIST,
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.83097

ORDER
IN
CRL OP(MD) No.23872 of 2016
Date :23/12/2016