



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

Friday, the Twelfth day of February Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2631 of 2016

WEB COPY

PERIYAM PILLAI @ SIVAKUMAR

... PETITIONER/ ACCUSED No.6

Vs

THE STATE REP.BY THE
THE SUB INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
SIVAKASI,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 446 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.THIRUVADI KUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate

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 05.12.2015, for the offences punishable under Sections 307 I.P.C., @ 120-B and 302 I.P.C., in Crime No.446 of 2015, on the file of the respondent Police, seeks bail.

2. Heard Mr.A.Thiruvadikumar, learned counsel appearing for the petitioner / 6th Accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that initially the case, in Crime No.446 of 2015, was registered under Section 307 I.P.C., alone and only during the thorough investigation it came into light that it was a murder case and hence it was altered into Sections 120-B and 302 I.P.C. Further, it is seen that investigation has been completed and charge sheet has been filed, before the learned Principal Sessions Judge, Virudhunagar District at Srivilliputtur, in P.R.C.No.1 of 2016 and the co-accused / Accused 1 and 2 have been enlarged on bail.

4. Taking into consideration the fact that charge sheet has been filed and the co-accused / Accused 1 and 2 have been enlarged on bail, this Court is of the view that this is a fit case to grant bail to the petitioner / 6th Accused. Accordingly, he is ordered to be released on bail, subject to the following conditions:

(i) the petitioner / 6th Accused 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, Sivakasi.

(ii) the petitioner / 6th Accused shall report before the learned Judicial Magistrate, Sivakasi, daily at 10.30 a.m., until further orders.



(iii) the petitioner / 6th Accused shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner / 6th Accused shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / 6th Accused in accordance with law as if the conditions have been imposed and the petitioner / 6th Accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

12/02/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SIVAKASI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE SUB INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
SIVAKASI,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S A.THIRUVADI KUMAR Advocate SR.No.8483

ORDER

IN

CRL OP(MD) No.2631 of 2016

Date :12/02/2016

PA/NGM-SS/SAR I/12.02.2016/2P/7C