



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

Wednesday, the Eleventh day of May Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice P.KALAIYARASAN

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CRL OP(MD) No.8035 of 2016

MUTHU

... PETITIONER / SOLE ACCUSED

Vs

THE STATE OF TAMILNADU
THE INSPECTOR OF POLICE,
M. REDDIAPATTI
POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO. 54 OF 2016.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S K.NEELAMEGAM Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

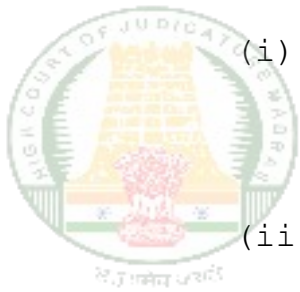
The petitioner, who was arrested and remanded to judicial custody on 10.03.2016 for the offence punishable under Section 305 I.P.C., in Crime No.54 of 2016, on the file of the respondent Police, seeks bail.

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

3.The learned counsel for the petitioner submits that the petitioner is only 21 years of old and that he is innocent of the offence and he is no way connected with the crime and the investigation is over and therefore, he may be enlarged on bail.

4. The learned Government Advocate (Criminal Side) opposes the application by contending that due to love affair between this petitioner and the victim girl, the victim girl, who is studying 11th standard, was abetted to commit suicide. However, he concedes that the investigation is almost over.

5. Considering the duration of custody, the completion of the investigation and also the entire facts and circumstances of this case, this Court is of the view that this is a fit case to grant bail to the petitioner / sole Accused. Accordingly, he is ordered to be released on bail, subject to the following conditions:



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- (i) the petitioner / sole 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, Aruppukkottai, Virudhunagar District.
- (ii) the petitioner / sole Accused shall report before the learned Judicial Magistrate, Aruppukkottai, Virudhunagar District daily at 10.30 a.m., for a period of one month and thereafter, once in a week i.e., on every Monday at 10.30 a.m. for a period of one month.
- (iii) the petitioner / sole Accused shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner / sole 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 / sole Accused in accordance with law as if the conditions have been imposed and the petitioner / sole 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]**.

sd/-
11/05/2016

/ TRUE COPY /

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

PS/SSL
TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE, M. REDDIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 4 THE OFFICER INCHARGE,
BORSTAL SCHOOL, MELUR, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.NEELAMEGAM Advocate SR.No.26104

GJM/JGB/SS/12.5.16-2P-7C