



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

Thursday, the Twenty Third day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10113 of 2016

S.KARUPPUSAMY@ANBU

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE
CHINTHAMANIPATTI POLICE STATION
KARUR DISTRICT
(CRIME NO.60/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S R.MATHIYALAGAN Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.2, who was arrested and remanded to judicial custody on 14.04.2016 for the alleged offences punishable under Sections 120(b) and 302 IPC, in Crime No.60 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 07.04.2016, at 11.45 p.m., when the de facto complainant called her husband, who was sleeping outside the house, there was no response and she found bleeding over the bed where her husband was sleeping and immediately she called her brother namely Sakthivel over phone, who came alongwith one Subramani and broke open the door from outside. They found that the deceased was dead. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner's name has not been mentioned in the FIR. The petitioner is only a friend of the first accused. Due to that he has been implicated in the case and there is no specific overtact attributed against this petitioner. The petitioner is in custody from 14.04.2016. A.4 and A.5 in this case were enlarged on bail by this Court vide order dated 06.06.2016 made in Crl.O.P(MD) No.8483 of 2016 and 22.06.2016 made in Crl.O.P(MD)No.9890 of 2016.



4.The learned Government Advocate(Crl.side) submitted that the first accused is the wife of the deceased and the accused Nos.3 to 5 are their friends. The first accused eloped with the petitioner. During occurrence, the accused 3 to 5 caught hold of the leg of the deceased and caused his death. Investigation is pending.

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5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 14.04.2016 and A.4 And A.5 were enlarged on bail by this Court vide order dated 06.06.2016 made in Crl.O.P(MD)No.8483 of 2016 and 22.06.2016 made in Crl.O.P(MD)No.9890 of 2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail on 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 No.I, Kulithalai and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
23/06/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, KULITHALAI
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4.THE INSPECTOR OF POLICE
CHINTHAMANIPATTI POLICE STATION
KARUR DISTRICT

5.THE SUPERINTENDENT, CENTRAL PRISON, TRICHY

+1. CC to M/S R.MATHIYALAGAN Advocate SR.No.32472

RL/7C/2P/GSV/PM/SARIII/23/6/2016

ORDER
IN
CRL OP(MD) No.10113 of 2016
Date :23/06/2016