



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

Monday, the Eighth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14073 of 2016

RAJAKILI

... PETITIONER / ACCUSED NO.1 (JCL)

Vs

STATE, REP.BY

THE SUB INSPECTOR OF POLICE

THIRUGOKARNAM POLICE STATION,

PUDUKKOTTAI.

CRIME NO.19/2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S D.RAMESHKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is a juvenile, arrayed as accused No.1, who was arrested and remanded to judicial custody on 24.01.2016, for the alleged offences punishable under Sections 294(b), 341 and 302 IPC, in Crime No.19 of 2016 on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 24.01.2016 the daughter of the defacto complainant was murdered by the petitioner/A1 and the other accused/A2. A1 is the brother of A2. The petitioner and the deceased are close relatives. On 24.01.2016, the petitioner and his brother A2 said to have stolen a sum of Rs.10,000/- from their house and purchased a cellphone and spent the money lavishly. The brother of the deceased one Ulagappan informed the activities of the petitioner and his brother to their family members. Due to that motive, the petitioner along with his brother, A2 murdered the deceased. On complaint, a case has been registered.

3. The case of the petitioner is that the petitioner is an innocent person. He has not committed any offence as alleged by the prosecution. Due to previous motive, the petitioner's name has been falsely implicated in this case. The petitioner is in judicial custody from 24.01.2016. The other accused person, A2 was released on bail on 16.03.2016.



4. The learned Government Advocate (Crl. Side) submitted that the petitioner along with other accused person, due to some motive, attacked the deceased and committed murder. If the petitioner is released on bail, he will tamper the evidence and hamper the investigation.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 24.01.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner 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 Juvenile Justice Board, Pudukkottai.
- (ii) the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner 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 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]**.

6. 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/-
08/08/2016

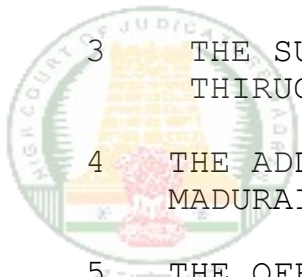
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PJL
TO

1 THE OFFICER INCHARGE/JUDICIAL MAGISTRATE
THE JUVENILE JUSTICE BOARD
PUDUKKOTTAI

2 DO THROUGH, THE CHIEF JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
PUDUKKOTTAI DISTRICT.



3 THE SUB INSPECTOR OF POLICE
THIRUGOKARNAM POLICE STATION, PUDUKKOTTAI.

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

5 THE OFFICER INCHARGE, BORSTAL SCHOOL, THANJAVUR

+1. CC to M/S D.RAMESHKUMAR Advocate SR.No.42693

GJM/GSV/PM/SAR(III)/08.08.2016/3P-7C

ORDER

IN

CRL OP(MD) No.14073 of 2016

Date :08/08/2016