

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.23563 of 2016

PANDISELVI

... PETITIONER / ACCUSED No.3

Vs

THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
PUDUKKOTTAI DISTRICT
(CRIME NO.163 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.GANAPATHISUBRAMANIAN 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/Accused No.3 was arrested on 14.10.2016 for the offences punishable under Sections 302 and 120(b) of I.P.C., in Crime No.163 of 2016 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner states that totally there are three accused in this case and the petitioner herein is A3, whose name is not found in the F.I.R., but on the confession of the co-accused, he has been implicated in this case. A1 is said to have illegal intimacy with the deceased Vellaiammal. As per the prosecution case, A1 and A2 said to have murdered the said deceased at the instigation of the petitioner herein.

3.The learned Government Advocate (Crl.side) appearing for the respondent states that the petitioner was arrested and he is in custody from 14.10.2016 and the investigation is still pending.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 14.10.2026, this Court is inclined to grant bail to the petitioner. 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 District Munsif cum Judicial Magistrate, Keeranur.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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 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 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, KEERANUR

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT

3 THE OFFICER INCHARGE
WOMENS PRISON, TRICHY

4 THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
PUDUKKOTTAI DISTRICT

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

+1. CC to M/S.P.GANAPATHISUBRAMANIAN Advocate SR.No.83368

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ORDER
IN

CRL OP(MD) No.23563 of 2016
Date :23/12/2016