

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

The Hon'ble Mr. Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.9563 of 2017

MR. VIJAI ANAND, [PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE , [RESPONDENT]
M-6 MANALI POLICE STATION, CHENNAI.
CR.NO. 728 OF 2016.

For Petitioner : M/S.M.MOHANA SUNDARAM Advocate

For Respondent : MR. K. MATHAN Govt. Advocate (crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Heard both sides.

2.The petitioner, who was arrested on 26.07.2016 and remanded to judicial custody for the alleged offences punishable under Sections 147, 148, 448, 302 I.P.C. @ 147, 148, 448, 302 r/w 120(b), 149 I.P.C. in Crime No.728 of 2016 on the file of the respondent police, seeks bail.

3.The case of the prosecution is that the petitioner along with other accused is alleged to have involved in the murder of the deceased. Petitioner is arrayed as the first accused in this case.

4.The learned counsel for the petitioner submitted that the petitioner has not committed any such offence and he has been falsely implicated in this case. He further submitted that the second accused and other accused who were co-conspirators were already granted bail by this Court vide order dated 05.05.2017 made in Crl.O.P.No.8699 of 2017 and hence, he may be released on bail.

5.The learned Government Advocate (Crl.Side) opposed for grant of bail to the petitioner. He submitted that the petitioner was arrested on 26.07.2016 and subsequently, was also detained under Act 14 of 1982. However, he fairly conceded that this Court allowed the HCP filed by the petitioner in HCP No.2084/2016 and set aside the detention order vide order dated 17.04.2017.

6.Considering the facts and circumstances of the case and taking note of the period of incarceration of the petitioner and also the fact that the co-accused has already been granted bail, this Court is inclined to grant the relief of bail to the petitioner.

7. Accordingly, it is ordered that the petitioner shall 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 Judicial Magistrate, Thiruvottriyur and on further condition that

(ii) The petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

-sd/-

18/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVOTTRIYUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR (FOR INFORMATION)

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 INSPECTOR OF POLICE ,
M-6 MANALI POLICE STATION, CHENNAI.

+1 CC to M/S.M.MOHANA SUNDARAM Advocate on payment of
necessary charges Sr.No.

CRL OP.9563/2017

Date :18/05/2017

MD: 18/05/2017