

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourteenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P.KALAIYARASAN

CRIMINAL ORIGINAL PETITION No.10623 of 2017

1 MURUGESAN, [PETITIONERS / ACCUSED]
2 KALIMUTHU,
3 MATHIAZHAGI,
4 RAJAKUMARI,

Vs

THE STATE REP.BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
THALAINAYAR POLICE STATION,
NAGAPATTINAM DISTRICT.
CR.NO.78 OF 2017.

For Petitioner : M/S.GREETHA SENTHILKUMAR Advocate

For Respondent : MR. P.MUTHUKUMAR, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Heard both sides.

2. The petitioners are alleged to have committed offences under Sections 341, 506 (ii), 307 and 302 IPC.

3. The learned counsel appearing for the petitioners submits that the petitioners have been in custody from 05.04.2017; that they are innocence of the offences; that charge sheet has been laid in this case and therefore they may be enlarged on bail.

4. The learned Government Advocate opposes this application contending that it is a case of double murder and the son and his wife along with his in-laws murdered his own parents.

5. This Court perused the charge sheet. The third petitioner who has been arrayed as A3 is charge sheeted for the offence under Section 302 r/w 109 IPC (2 counts) and 506 (ii) IPC and the fourth petitioner who has been arrayed as A4 is charge sheeted for the offence under Section 302 r/w 34 and 506 (ii) IPC. The first petitioner / A1 is charged under Section 302 IPC (2 counts) and the second petitioner / A2 is charged under Section 302 IPC (1 count) and 302 r/w 34 IPC.

6. Considering the charges levelled against the petitioners 3 and 4 and the fact that they are ladies, one is having one year baby and another is hospitalised for her sickness, this Court is of the view that the petitioners 3 and 4 may be enlarged on bail.

7. Considering the gravity of charges and double murder and the relationship between the petitioners 1 and 2 and the victims, this Court is of the view that this is not a fit case to enlarge the petitioners 1 and 2 on bail.

8. With respect to the petitioners 1 and 2 this petition is dismissed. With respect to the petitioners 3 and 4, this Court is inclined to enlarge them on bail.

9. Accordingly, the petitioner 3 and 4 are ordered to be released on bail on their executing a bond for Rs.10,000/- [Rupees Ten Thousand only] each with two sureties each for a like sum, to the satisfaction of the District Munsif-cum-Judicial Magistrate, Vedharanyam and on further condition that the petitioners 3 and 4 shall report before the concerned Judicial Magistrate Court on every Monday at 10.30 a.m., for a period of two months.

10. The Committal Court is directed to commit the case without any delay. The District and Sessions Court is directed to complete the trial within a period of two months from the date of receipt of the records from the Committal Court.

-sd/-
14/07/2017

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VEDHARANYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
THALAINAYAR POLICE
STATION, NAGAPATTINAM DISTRICT.

6 THE DISTRICT AND SESSIONS
JUDGE, NAGAPATTINAM.

CC to M/S.GREETHA SENTHILKUMAR Advocate on payment of necessary
charges

CRL OP.10623/2017

Date :14/07/2017

ths : 14.07.2017