



147, 148, 294(b), 109, 120B I.P.C 3(1)(r), 3(1)(s), 3(2)(v) SC/ST (POA) Act 2015, in Crime No.460 of 2017, on the file of the respondent police, seeks bail.

3. The case of the prosecution is that due to a dispute between the deceased and A1 to A3, a case in Crime No.39 of 2015 was registered and due to the said motive, all the accused conspired together and attacked the deceased with deadly weapons and caused death.

4. The learned counsel appearing for the appellant states that the appellant was implicated only on the basis of the co-accused confession in this case and there was a motive between A1 to A3 and the deceased, and the appellant herein is no way connected in the said crime as alleged in the prosecution. Due to previous enmity between one Sekar and the first accused in this case in respect of Crime No.39 of 2015 and a case was registered under SC/ST Act and the murder took place by the Accused No.1 at the instigation of the appellant herein.

5. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that initially F.I.R was registered against the unnamed accused and during investigation there are totally 12 persons were arrayed as accused in this case. The appellant herein is arrayed as A7. He further submitted that an earlier appeal filed by the appellant in CrI.A. (MD).342 of 2017 and the same was dismissed by this Court on 01.09.2017. There is no change of circumstances in the dismissal of the earlier appeal in this case. The appellant was arrested and he is in judicial custody from 29.06.2017 onwards. He further submitted that investigation is still pending and as per confession of A1, the appellant has instigated the other accused to murder the deceased in this case.

6. Considering the above facts and circumstances of the case and also considering the fact that, the appellant is in judicial custody from 29.06.2017 onwards, this Court is inclined to grant bail to the appellant subject to certain conditions.

7. Accordingly, the appellant is ordered to be released on bail on her 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 III Additional Sessions Court, (PCR), Madurai, and on further condition that:

<https://hcservices.ecourts.gov.in/hcservices/> appellant shall report before the respondent police daily at 10.30 a.m., until further orders.



[b] the appellant shall not tamper with evidence or witness either during investigation or trial.

[c] the appellant shall not abscond either during investigation or trial.

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[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law, as if the conditions have been imposed and the appellant 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].

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The III Additional Sessions Judge (PCR),
Madurai

2..The Deputy Superintendent of Police,
Samayanallur Division,
Madurai District.

3.The Inspector of Police,
Nagamalaipudukottai Police Station,
Madurai District.

4.The Superintendent, Central Prison (Women)
Madurai

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

+One cc to Mr.S.Krishnan, Advocate, SR.No.31492

msa

RL/7C/3P/SKN/RSK/SAR2/25/9/2017

Crl.A.(MD)No.378 of 2017