



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

Monday, the Seventeenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP (MD) No.9067 of 2017

BALASUBRAMANIAN @ PANDARAM

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SERAKULAM POLICE STATION,
THOOTHUKUDI DISTRICT,
IN CRIME NO. 16 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MUTHUPANDI Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.4, who was arrested and remanded to judicial custody on 09.06.2017 for the alleged offences punishable under Sections 302 and 201 IPC, in Crime No.16 of 2017, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that one Anantha Egamoorthi, a Village Administrative Officer has lodged a complaint before the respondent police stating that A.1 appeared before him and gave a confession that he along with other accused committed murder of one Venila. On complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that the occurrence is said to have taken place in the month of August, 2015 and after two years, Accused No.1 is said to have given extra-judicial confession before the Village Administrative Officer on 08.06.2017. Based on the confession, a crime has been registered against the petitioner and other accused.

4.The learned Additional Public Prosecutor submitted that Accused No.3 was already granted anticipatory bail by this Court in Crl.O.P(MD)No.7813 of 2017.



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09.06.2017, and the Similarly Placed Co-accused released on bail 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 Judicial Magistrate, Srivaikundam, Thoothukudi District.
- (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].

sd/-

17/07/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
 - 4 THE INSPECTOR OF POLICE,
SERAKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.MUTHUPANDI Advocate SR.No.26670

ORDER IN

CRL OP(MD) No.9067 of 2017

Date :17/07/2017