



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

Monday, the Fourth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.11170 of 2017

NARAYANAPERUMAL @ AATHI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KALLIDAIKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 199 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN 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 :-

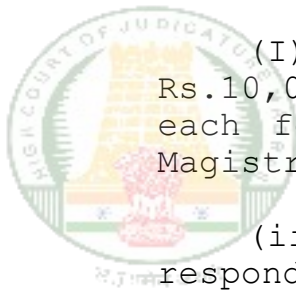
The petitioner/accused, who was arrested on 05.08.2017 for the offences punishable under Section 302 altered into under Sections 147, 148, 294(b), 341, 302, 120(b) of I.P.C. in Crime No.199 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the accused persons alleged to have waylaid the deceased Sathivelmurugan at Karambai Pottal Road and said to have attacked him with weapons and caused murder of the deceased.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that on the basis of the confession of the second accused, the petitioner has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that only on the basis of the confession of the second accused, the petitioner was implicated as A-7.

5.Considering the facts and circumstances of the case, 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 Judicial Magistrate, Ambasamuthiram.

(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/-
04/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, AMBASAMUTHIRAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE,
KALLIDAIKURICHI POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.29860

ORDER
IN
CRL OP(MD) No.11170 of 2017
Date :04/09/2017

MKV-PN-SAR 3/05.09.2017/2P-7C

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