



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

Wednesday, the Twenty Seventh day of September Two Thousand  
Seventeen

PRESENT

WEB COPY

**The Hon`ble Mr.Justice M.V.MURALIDARAN**

CRL OP(MD) No.13170 of 2017

1 VELMURUGAN @ KATTUPOCHI,  
2 MANIPRABU @ DOKKUMANIPRABHU, ... PETITIONERS/ A9 AND A5

Vs

STATE REPRESENTED THROUGH  
THE INSPECTOR OF POLICE,  
KEERAIDURAI POLICE STATION,  
MADURAI DISTRICT.  
(CR.NO.349/2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.J.VIJAYARAJA Advocate

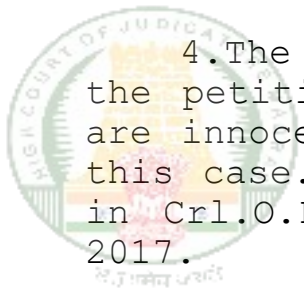
For Respondent : MR.K.S.DURAI PANDIAN, ADDITIONAL PUBLIC PROSECUTOR  
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners / accused Nos.9 and 5, who were arrested on 13.05.2017, for the offences punishable under Sections 120(B), 147, 148, 341, 302 and 506(ii) of IPC., in Crime No.349 of 2017, on the file of the respondent police, seek bail.

2. The case of the prosecution is due to prior enmity, on 10.05.2017, at about 8.00 p.m. all the accused assaulted the defacto complainant's son, namely, Valivittan and caused injuries and he succumbed to death. Based on the complaint, this case has been registered. Based on the confession of the main accused, the petitioners were implicated in this case and the overt act against the petitioners herein is that they protected the deceased not to escape from the scene of occurrence.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent / Police.



4.The learned counsel for the petitioners would submit that the petitioners are no way connected with the crime and they are innocent persons and they have been falsely implicated in this case. The co-accused were released on bail by this Court in CrI.O.P. (MD).Nos.9830 of 2017, 11721 of 2017 and 8413 of 2017.

5.The learned Additional Public Prosecutor submitted that the petitioners have committed serious offence and investigation is yet to be completed and hence, he opposed for granting bail to the petitioners.

6.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, **the petitioners are ordered to be released on bail** subject to the following conditions:

(i)the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.IV, Madurai;

(ii)the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii)the petitioners shall not tamper with the evidence or witness either during investigation or trial;

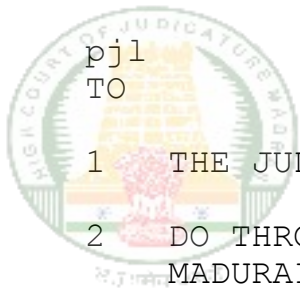
(iv) the petitioners shall not abscond either during investigation or trial;

(v)on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-  
27/09/2017

/ TRUE COPY /

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



pjl  
TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE,  
KEERAIDURAI POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT  
CENTRAL PRISON, MADURAI

+1. CC to M/S.J.VIJAYARAJA Advocate SR.No.31578

GJM/CM/MSA/SAR-I-28.9.17-3P-7C

ORDER  
IN  
CRL OP(MD) No.13170 of 2017  
Date :27/09/2017