



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

Friday, the Twentieth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13499 of 2017

MRS. ARUN SHAJU

... PETITIONER / ACCUSED-6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 234 OF 2017)

... RESPONDENT

For Petitioner : M/S.G.V.VAIRAM SANTHOSH Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 03.08.2017, for the offences punishable under Section 174 Cr.P.C and thereafter it was altered into Sections 120(B), 364, 302, 379, 147, 148, 341 I.P.C., in Crime No. 234 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that initially the case was registered under Section 174 Cr.P.C. as man missing case and subsequently, on investigation the deceased person was murdered by A1 to A6 and the body was found on 08.06.2017. Thereafter, the case was altered into Sections 120(B), 364, 302, 379, 147, 148, 341 I.P.C., and the petitioner herein was arrested on 03.08.2017.

3. The learned counsel appearing for the petitioner states that the petitioner was no way connected to the above said alleged crime. The petitioner was the sole bread winner for his family by doing some menial job. The petitioner has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit this Court already granted anticipatory bail against the accused no.1 in Crl.O.P(MD).No.12876 of 2017 and accused no.5 was also granted bail in Crl.O.P(MD).No.12800 of 2017. He further submitted that the co-accused was also released on bail by this Court in Crl.O.P(MD).No.9595 of 2017, dated 25.07.2017.



5. Considering the above facts and circumstances of the case and also considering the fact that all other accused were released and granted anticipatory bail and bail respectively, this Court is inclined to grant bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Melur and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation.

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

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

[d] the petitioner shall not commit any offence while on bail;

(e) 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/-
20/10/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.G.V.VAIRAM SANTHOSH Advocate SR.No.32954

ORDER IN
CRL OP(MD) No.13499 of 2017
Date : 20/10/2017