



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

Thursday, the Twenty Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14333 of 2017

SUBBAIAH @ VIJAY

... PETITIONER / ACCUSED NO.8

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SIVABALAN Advocate

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

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

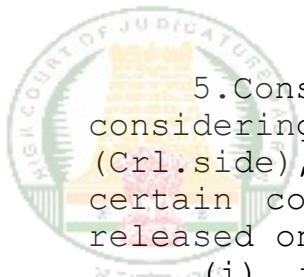
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.8, who was arrested and remanded to judicial custody on 05.08.2017 for the alleged offences punishable under Section 174 Cr.P.C. altered into Sections 147, 148, 341, 120(b), 364, 302 and 379(NP) of IPC, in Crime No.234 of 2017, on the file of the respondent police seeks bail.

2.The case of the prosecution is that due to previous enmity with the deceased person, one Natarajan/A1, who had illegal intimacy with the wife of the deceased arranged some persons to murder the deceased and committed murder. This petitioner is A8, who had driven the vehicle of the deceased and further said to have attacked the deceased with iron rod on his shoulder.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He has been falsely implicated in this case. He further submitted that the co-accused were released on bail. A1 was granted anticipatory bail. He prays that this Court may extend the very same benefit to the present accused also and prays for bail.

4.The learned Government Advocate(Crl.side) appearing for the State did not dispute the factual aspect submitted by the learned counsel for the petitioner. He confirmed that the co-accused were released on bail.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), I am inclined to release 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.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Melur;
- (ii) the petitioner shall report before the investigation officer daily between 10.00 a.m and 11.00 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 commit any offence while on bail;
- (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 and the bail granted stands cancelled automatically.

sd/-
26/10/2017

/ 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.K.SIVABALAN Advocate SR.No.33180

ORDER
IN
CRL OP(MD) No.14333 of 2017
Date : 26/10/2017