



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

Monday, the Thirteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14913 of 2017

PARTHIBAN

... PETITIONER / 7th ACCUSED

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO.402/2016
U/S.147,148,302 IPC

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.SATHISH FOR M/S.C.SAKTHIVEL Advocate

For Respondent : Mr.K.ANBARASAN Government Advocate (Crl. Side)

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

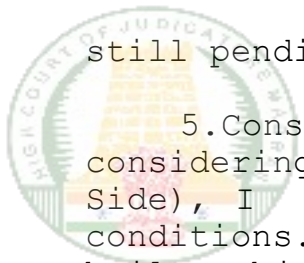
ORDER : The Court Made the following order :-

The petitioner/accused No.7, who was arrested and remanded to judicial custody on 23.09.2017 for the alleged offences punishable under Sections 147, 148, 302 of IPC., in Crime No.402 of 2016, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had been implicated in murder case and he filed the application before this Court for Anticipatory Bail in Crl.O.P.(MD).2406 of 2017 along with other accused. This Court, by its Order, dated 06.06.2017 granted Anticipatory Bail. Since the petitioner did not comply the condition imposed by this Court by furnishing the sureties before the Lower Court, the Law Enforcing Agency, arrested the person and kept under Judicial Custody. Against which the present Bail application is filed.

3.The learned counsel for the petitioner would submit that since the petitioner was unable to produce the sureties before the Lower Court as directed by this Court, he is in custody. But other accused were already granted anticipatory bail.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that there is no previous case pending against the petitioner. He further submitted that investigation is



still pending.

5. Considering the facts and circumstances of the case and also considering the submission of the learned Government Advocate (Crl. Side), I am inclined to grant bail to the petitioner 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 No.II, Sivagangai;

(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 make herself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

(vi) 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/-
13/11/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II
SIVAGANGAI DISTRICT.

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT,

4 THE OFFICERS INCHARGE,
SUB-CALL, RAMANATHAPURAM DISTRICT.



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.

+1. CC to M/S.C.SAKTHIVEL Advocate SR.No.34287

WEB COPY

ORDER

IN

CRL OP (MD) No.14913 of 2017

Date :13/11/2017

MV:PM-PN:SAR313/11/2017/3P/7C