



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.15451 of 2017

NAGARAJAN

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY,  
THE SUB INSPECTOR OF POLICE  
VEERACHOLAN POLICE STATION,  
VIRUDHUNAGAR DISTRICT  
CRIME NO.56 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.KUMARAVEL Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused No.4, who was arrested and remanded to judicial custody on 09.09.2017 for the alleged offences punishable under Sections 147, 148, 294(b), 341, 302 and 120(b) of IPC., in Crime No.56 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 09.09.2017 the accused No.1 to 3 joined together and attacked the deceased person. This petitioner and Accused No.5, 6 & 7 prevented the deceased to escape from the hands of Accused No.1 to 3, thereby he sustained fatal injury and died in the hospital.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. However similarly Accused No.5, 6 & 7 are already released on bail and the investigation is almost completed.

4.The learned Government Advocate (Criminal side) appearing for the respondent did not dispute the facts submitted by the learned counsel for the petitioner and stated that there is no previous case pending against the petitioner and investigation is completed.

5.Considering the facts and circumstances of the case and also considering the submission of the learned Government Advocate (Crl. Side), and since the similarly placed Accused No.5,6 & 7 were



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already granted bail, in view of the above, 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, Aruppukottai, Virudhunagar District;
- (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

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

TO

- 1 THE JUDICIAL MAGISTRATE,  
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 OFFICER IN CHARGE, DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE SUB INSPECTOR OF POLICE,  
VEERACHOLAN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.KUMARAVEL Advocate SR.No.34313

ORDER

IN

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Date :13/11/2017