



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

Wednesday, the Twenty Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15702 of 2017

N.MAHENDRAN

... PETITIONER/3rd ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION,
KARUR DISTRICT.
(CRIME NO.406 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.BOOPATHI PANDIYAN, Advocate

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

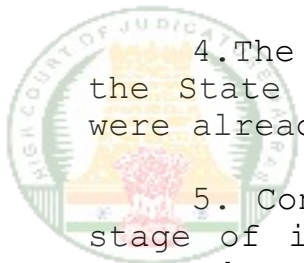
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused No.3, who was arrested and remanded to judicial custody on 26.09.2017 for the alleged offences punishable under Sections 302 and 201 of I.P.C., in Crime No.406 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on information, the defacto complainant/Village Administrative Officer went and found a dead body nearby Karur-Dindigul Bypass Road near Seethapatti. The legs of the dead body was tied with ropes and there was multiple injuries in the body. Based on the complaint given by the defacto complainant, a case has been registered for the above said offences. On investigation, it was revealed that since the deceased person did not repay the borrowed loan amount, the accused persons joined together and murdered the deceased and thereafter, they pour some chemical on the dead body and burnt it and subsequently, the accused persons were implicated in this case and the Law Enforcing Agency arrested the accused and remanded them to judicial custody.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that initially a case was registered for the offence under Section 302 IPC against some unknown persons and subsequently, the petitioner was falsely implicated in this case. Moreover, the petitioner has no specific overtact and he is no way connected with the crime and hence, he prays for bail. He further submitted that the co-accused A1 and A2 were already released on bail by the Sessions Court.



4. The learned Government Advocate (Criminal side) appearing for the State also confirmed that the main accused and the co-accused were already released on bail.

5. Considering the facts and circumstances of the case and the stage of investigation and also considering the fact that the co-accused was already released on bail, I am inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following certain 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, Karur;
- (ii) the petitioner shall report before the respondent police, daily twice, at 10.30 a.m. and at 05.30 p.m., until further orders;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iv) the petitioner shall make himself 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/-
29/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KARUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION, KARUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.BOOPATHI PANDIYAN Advocate SR.No.35285

ORDER IN
CRL OP(MD) No.15702 of 2017
Date : 29/11/2017