



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

Monday, the Thirteenth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1582 of 2017

SANGILIMURUGAN

... PETITIONER/ACCUSED A3

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
NILAKKOTTAI POLICE STATION,
DINDIGUL DISTRICT,
CRIME NO.310 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MURUGAPPAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

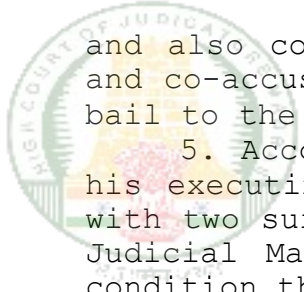
The petitioner, who was arrested and remanded to judicial custody on 08.01.2017, for the offences punishable under Sections 147, 148, 341, 323 and 302 of IPC., on the file of the respondent Police, in Crime No.310 of 2016, seeks bail.

2. The learned counsel appearing for the petitioner states that the present petitioner filed anticipatory bail application before this Court in Crl.O.P(MD)No.23084 of 2016 and pending the application, the petitioner was arrested and hence, the petition was dismissed by this Court. He would also submitted that the petitioner has no motive towards the deceased for murdering him. As per the confession given by the co-accused, the present petitioner and A4 said to have caught hold of the deceased in the occurrence.

3. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally five accused in this case and the petitioner herein is A3 and he was arrested and remanded to judicial custody from 08.01.2017 onwards and the remaining accuses were arrested and released on bail. He also submitted that initially the case was registered under Section 174 of Cr.P.C., and thereafter, altered into Sections 147, 148, 341, 323 and 302 of IPC., on the strength of the complaint given by the Village Administrative Officer. During investigation on the basis of A1's confession, the other accused were implicated in this case. He would further submit that investigation has been completed.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Considering the above facts and circumstances of the case and and the alleged overt act attributed against the petitioner during occurrence



and also considering the fact that the investigation has been completed and co-accused had already been released, this Court is inclined to grant bail to the petitioner subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Nilakkottai, Dindigul District, and on further condition that:

[a] the petitioner shall report before respondent Police, daily at 10.30 a.m., until further orders, for interrogation

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

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

[d] 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/-
13/02/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NILAKKOTTAI, DINDIGUL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE INSPECTOR OF POLICE
NILAKKOTTAI POLICE STATION, DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.R.MURUGAPPAN Advocate SR.No.7767

MPK
CSL/JM/SAR-II/13.02.2017 : 2P/7C

ORDER
IN
CRL OP(MD) No.1582 of 2017
Date :13/02/2017