



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

Monday, the Fourth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16577 of 2017

P.SENTHILKUMAR

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION,
KARUR DISTRICT.
CR NO. 405/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.RAJESH SARAVANAN Advocate

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

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

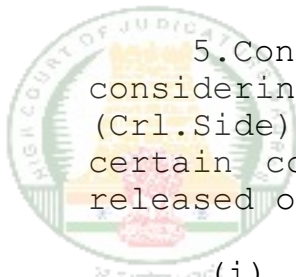
ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody, for the alleged offences punishable under Section 174(III)-(IV) Cr.P.C. and 364 & 302 of I.P.C., in Crime No.405 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that initially the Law Enforcing Agency registered a case under Section 174 Cr.P.C., for suspicious death. After investigation, the Law Enforcing Agency arrested the accused person and charged against him. The accused person made order for making gold jewellery with the deceased person. However the deceased person manufactured a fake jewellery. Aggrieved over the same, the accused no.1 kidnapped the deceased person and committed a murder. Based on the Village Administrative Officer's complaint, the case was registered against the petitioner/A1 and other accused persons.

3. The learned counsel appearing for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution. However, accused no.2 is released on bail. There is no specific overt act against the petitioner.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that accused no.2 is already released on bail and the investigation is completed. The Law Enforcing Agency filed a charge sheet before the Judicial Magistrate No.I, Kulithalai, in P.R.C.No.21 of 2017.



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 grant bail to the petitioner/A1 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.1, Kulithalai;
- (ii) the petitioner shall report before the learned Judicial Magistrate No.1, Kulithalai, daily at 10.30 a.m., until further orders. If the petitioner fails to appear before the Judicial Magistrate No.1, Kulithalai, daily at 10.30 a.m., liberty granted to the concerned Court to issue Non-Bailable Warrant and the respondent police shall arrest the person and remand to the jail;
- (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 petitioners in accordance with law and the bail granted stands cancelled automatically.

sd/-

04/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KULITHALAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 4 THE INSPECTOR OF POLICE,
THOGAMALAI POLICE STATION, KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.RAJESH SARAVANAN Advocate SR.No.35464

ORDER IN
CRL OP(MD) No.16577 of 2017
Date :04/12/2017