



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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.5836 of 2017

SAMPATH @ SAMPATHKUMAR ... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
JAIHINDPURAM POLICE STATION,
MADURAI DISTRICT,
CR NO. 89 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. R. VENKATESAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

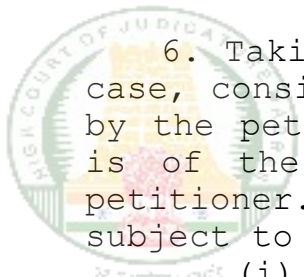
The petitioner, who was remanded to judicial custody on 22.02.2017, for the offences punishable under Sections 147, 148, 341, 302, 506(ii) I.P.C., and Section 25(1) (A) of Arms Act, 1959, in Crime No.89 of 2017, on the file of the respondent Police, seeks bail.

2. Heard Mr.R.Venkatesan, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The case of the prosecution is that on 24.01.2017, the petitioner along with others murdered one Anna Karthi.

4. The learned counsel appearing for the petitioner submitted that based on the confession statement given by the first accused, the petitioner has been implicated in this case and the co-accused have been granted bail by this Court and the District Sessions Court, Madurai.

5. The learned Government Advocate appearing for the State submitted that the petitioner is a notorious one and investigation is yet to be completed.



6. Taking into consideration the facts and circumstances of this case, considering the gravity of offence said to have been committed by the petitioner and also the period of incarceration, this Court is of the view that this is a fit case to grant bail to the petitioner. Accordingly, he is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute 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 No.IV, Madurai.
- (ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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/-
17/05/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
JAIHINDPURAM POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. R. VENKATESAN Advocate SR.No.22037

ORDER
IN
CRL OP(MD) No.5836 of 2017
Date :17/05/2017