



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

Monday, the Tenth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8506 of 2017

THAMARAISELVAN

... PETITIONER / 7th ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT
CRIME NO. 604 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

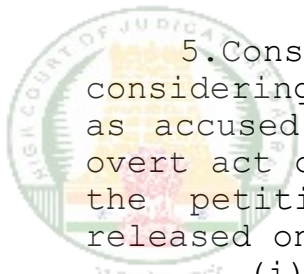
ORDER : The Court Made the following order :-

The petitioner / A8, who was arrested on 20.05.2017 for the offences punishable under Sections 147, 148, 341, 324, 506(ii) and 302 IPC in Crime No.604 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased murdered the friend of A1 and due to the said motive, the petitioner along with other accused conspired together and murdered the deceased in this case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner, who is a law college student, was not present at the time of occurrence and he went to Kodaikanal for doing internship. He further submitted that the petitioner was implicated in this case based on the confession statement of A1.

4.The learned Additional Public Prosecutor submitted that totally there are 2 named and 6 unnamed accused and the petitioner is arrayed as A8 in this case. He also submitted that the petitioner watched the movement of the deceased and informed the same to the other accused for committing the said offence. He further submitted that investigation is pending.



5.Considering the facts and circumstances of the case and considering the fact that the petitioner is implicated in this case as accused based on the confession of A1 and also considering the overt act of the petitioner, this Court is inclined to grant bail to the petitioner. 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.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Madurai;

(ii)the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii)the petitioner shall not tamper with the 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 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 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/-

10/07/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.26126

ORDER

IN

CRL OP(MD) No.8506 of 2017

Date :10/07/2017