



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

Wednesday, the Second day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9863 of 2017

M.PALANI

... PETITIONER / ACCUSED NO.6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.179/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.N. RAJAMOHAMED Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

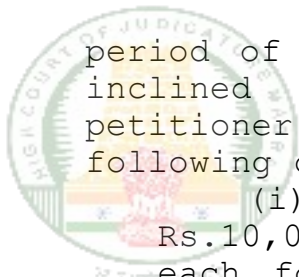
ORDER : The Court Made the following order :-

The petitioner / A6, who was arrested on 01.07.2017 for the offences punishable under Sections 147, 148, 294(b), 324, 302, 506 (ii) IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.179 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that while conducting betrothal ceremony to the petitioner's daughter, all the accused have fired crackers and at that time, a wordy quarrel arose between the deceased and the accused. Due to which, all the accused attacked the deceased with aruval and murdered on the spot.

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.

4.The learned Additional Public Prosecutor submitted that totally there are 6 named accused and the petitioner is arrayed as A6 in this case. He also submitted that A1, A3, A4 & A5 have surrendered and A2 & A6 were arrested and they are in custody. He further submitted that the petitioner abused the deceased in filthy language and instigated the other accused to attack the deceased. He also submitted that investigation is still pending.



period of incarceration of the petitioner in jail, 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.III, Tirunelveli;

(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/-

02/08/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.B.N.RAJAMOHAMED Advocate SR.No.69596

ORDER

IN

CRL OP (MD) No.9863 of 2017

Date : 02/08/2017