



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

Thursday, the First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1428 of 2018

K.RANJITH SELVA

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THIRUKKURUNGUDI POLICE STATION,
THIRUKKURUNGUDI.
CR.NO.154 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner :M/S.KA.RAAMAKRISHNAN Advocate

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

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

ORDER : The Court Made the following order :-

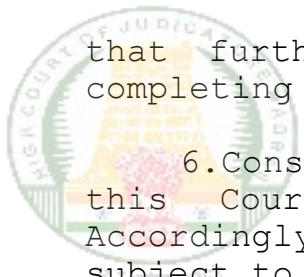
The petitioner / A5, who was arrested on 14.12.2017 for the offence punishable under Sections 302 IPC @ 147, 148, 364, 302 r/w 109 IPC in Crime No.154 of 2017, seeks bail.

2.The case of the prosecution is that the de facto complainant's son was having love affairs with the petitioner's daughter. Due to the same, the petitioner killed the de facto complainant's son.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 14.12.2017 onwards.

4.The learned Government Advocate (Crl.side) submitted that the petitioner herein is not having any previous cases. According to him investigation is still pending.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged that during the time of occurrence, the petitioner herein along with other accused, due to previous motive, committed the offence of murder and he is in judicial custody from 14.12.2018 onwards. As of now, part of the investigation is completed. The petitioner is the first offender. So, considering the said aspect, this Court came to the conclusion



that further custodial interrogation may not be necessary for completing the investigation.

6. Considering the above facts and circumstances of the case, 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.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Valliyoor;

(ii) the petitioner is directed to appear before the Ambai Taluk Police Station, Viravanallur daily at 10.00 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/-

01/02/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE OFFICER IN CHARGE,
BORSTAL SCHOOL, NANGUNERI.
- 4 THE INSPECTOR OF POLICE
AMBAI TALUK POLICE STATION, VIRAVANALLUR.
- 5 THE INSPECTOR OF POLICE,
THIRUKKURUNGUDI POLICE STATION, THIRUKKURUNGUDI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KA.RAAMAKRISHNAN Advocate SR.No.1709

ORDER IN
CRL OP(MD) No.1428 of 2018
Date :01/02/2018