



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

Thursday, the Fifth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.4818 of 2018

KIRUPAKARAN

... PETITIONER / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION,
TRICHY DISTRICT.
IN CR.NO. 36/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.KARNAN Advocate

For Respondent : MR.PRABU RAMACHANDRAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

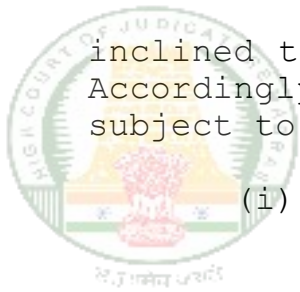
The petitioner is shown as 7th Accused in Crime No.36 of 2018 on the file of the respondent police. He was arrested on 23.01.2018 by the respondent police and remanded to judicial custody. The case against him is for the offences punishable under Sections 147, 148 and 302 IPC @ 120(b), 109, 147, 148, 201 and 302 IPC. He seeks bail.

2.The case of the prosecution is that Accused Nos.1 to 5 are said to have committed the murder of one Hemanth, for which, the petitioner herein had supplied liquor and weapon to them. On complaint, a case has been registered for the offences stated above.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that the co-accused have already been arrested and there is no previous case against the petitioner.

5.Considering the nature of allegations levelled against the petitioner and also considering the fact that the petitioner has not played any direct role in the commission of murder as such and he appears to have played only some facilitatory role, this Court is



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inclined to enlarge the petitioner on bail 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Trichirappalli.
- (ii) The petitioner shall appear before the respondent police as and when required for interrogation.
- (iii) The petitioner shall not abscond.
- (iv) 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/-
05/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHIRAPPALLI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.KARNAN Advocate SR.No.5470

ORDER
IN
CRL OP(MD) No.4818 of 2018
Date :05/04/2018