



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

Wednesday, the Fourth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5016 of 2018

KALEESWARAN @ KUTTULU

... PETITIONER / ACCUSED NO.13

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
IN CR.NO. 85/2018,
MADURAI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.RAJMOHAN 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 arrayed as Accused No.13. He was arrested on 25.01.2018 by the respondent police and remanded to judicial custody. The case against him is for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 302 IPC, in Crime No.85 of 2018, on the file of the respondent police. He seeks bail.

2.This Court went through the contents of the FIR. It appears that there was a quarrel among the friends and when the matter was sought to be compromised, some altercation arose between them leading to the death of one Kabeer Hussain on 30.01.2018. The occurrence in question took place on 21.01.2018.

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. He further submitted that some of the co-accused have already been arrested and released on bail.

4.The learned Government Advocate (Criminal side) submitted that the identification parade has been conducted on 03.04.2018 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 he is in judicial custody from 25.01.2018, this Court is inclined to enlarge the



WEB COPY

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, Madurai.
- (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/-
04/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.RAJAMOHAN Advocate SR.No.5347

ORDER IN
CRL OP(MD) No.5016 of 2018
Date :04/04/2018