



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

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5462 of 2018

1 SANKAR
2 VAZHIAN
3 RAVI

... PETITIONERS / ACCUSED NO.4 to 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AVIYUR POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO. 27 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.V.THIRUMAL 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 :-

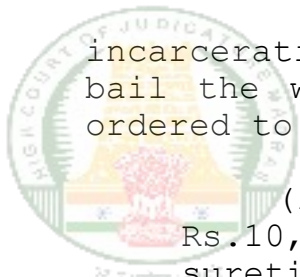
The petitioners are arrayed as Accused Nos. 4 to 6. They were arrested and remanded to judicial custody on 02.03.2018, for the offences punishable under Sections 302, 201 I.P.C., alter into Sections 120(b), 364, 302, 392, 201, 202 and 414 I.P.C., in Crime No.27 of 2018, on the file of the respondent police. They seek bail.

2.The case of the prosecution is that the deceased is a money lender. When he came to collected the loan amount, A1 and A2 are said to have been murdered him. The allegation against the first petitioner who is shown as A4 is that he helped in screening the evidence. The petitioners 2 and 3 are said to have pledged the jewels that were lying with the deceased.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Criminal Side) submitted that there is no previous case is pending against the petitioners.

5.Taking note of the fact that there is no previous case against the petitioners herein and also considering the period of



incarceration undergone by them, this Court is inclined to grant bail the with certain condition. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Aruppukkottai, Virudhunagar District.

(ii) the petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
09/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ARUPPUKKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
- 4 THE INSPECTOR OF POLICE
AVIYUR POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.V.THIRUMAL Advocate SR.No.5649

ORDER IN
CRL OP(MD) No.5462 of 2018
Date :09/04/2018