



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

Wednesday, the Fourth day of July Two Thousand and Eighteen

PRESENT

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

CRL OP (MD) No.9994 of 2018

1.SARAVANAN
2.SARAVANA MOORTHY

... PETITIONERS/ACCUSED A2&A3

Vs

THE STATE REP.BY.
THE INSPECTOR OF POLICE,
KOVILANKULAM POLICE STATION,
KAMUTHI TALUK,
RAMANATHAPURAM DISTRICT.
CRIME NO.21 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.BABU JAGANATH Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 19.05.2018 for the offence punishable under Section 307 I.P.C @ Sections 294(b) and 302 I.P.C, in Crime No.21 of 2018 on the file of the respondent police. They seek bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate(Crl.Side) for the respondent.

3.The case of the prosecution is that the first accused is one Sathish. The deceased Senthil had illicit intimacy with the mother of the Sathish. Feeling depressed by the same, the father of Sathish committed suicide by self immolating himself. Since then the first accused Sathish had motive against the deceased Senthil. The said Sathish is said to be the class-mate of the petitioners herein. On the fatal day, the petitioners and the first accused had committed the murder of said Senthil.

4.The petitioners are in custody for more than 45 days. Since identity of all the accused has now been commenced, this Court is of the view that the investigation is substantially over by now. Taking note of all these aspects, this Court is inclined to grant bail to the petitioners. 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, Kamuthi, Ramanathapuram District.

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

(iii) the Petitioners shall not abscond.

(iv) 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 are 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/-

04/07/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
KOVILANKULAM POLICE STATION,
KAMUTHI TALUK, RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE OFFICER INCHARGE,
JUVENILE HOME, PUDUKOTTAI.

+1 CC to M/S.R.BABU JAGANATH Advocate SR.NO.12106.

MSA

ORDER

IN

CRL OP(MD) No.9994 of 2018

Date : 04/07/2018

RAM/MMS/RNB/04.07.2018/2P/7C