



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

Wednesday, the Thirty First day of October Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.19454 of 2018

NIZAR @ MOHAMMED NIZAR

... PETITIONER / ACCUSED NO.2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION,
TRICHY.
CRIME NO.132/2007

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.THIRUNAVUKKARASU Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

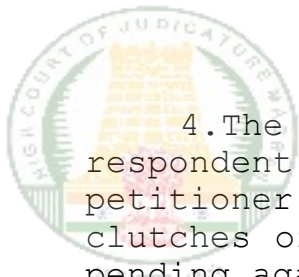
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody since 17.10.2018 for the offences punishable under Sections 364 of I.P.C., altered into Sections 120(B), 364 and 302 read with 201 of I.P.C. in Crime No.132 of 2007, on the file of the respondent police.

2.The case of the prosecution is that due to a wordy quarrel between the deceased and A1, on 08.09.2018, all the accused conspired together and murdered the deceased at about 11.00 p.m. and the case has been registered and the respondent has filed charge sheet before the learned Judicial Magistrate No.V, Trichy and the case is pending in PRC stage.

3.The learned counsel appearing for the petitioner would submit that since absconding charge sheet filed as against the petitioner, non bailable warrant has been issued and he was arrested and remanded to judicial custody on 17.10.2018. He would further submit that the petitioner has not involved in any crime and a false case has been foisted as against the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent police opposes the bail application stating that if the petitioner released on bail, again, he will abscond from the clutches of law. However, he would submit that no previous case is pending against the petitioner.

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6.Considering the facts and circumstances of the case, this Court is 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.V, Trichy.

(ii) the petitioner shall appear before the trial Court daily at 10.30 a.m. until further orders.

sd/-

31/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V,
TRICHY.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION, TRICHY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHIRAPPALLI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.THIRUNAVUKKARASU Advocate SR.No. 20715

ORDER

IN

CRL OP(MD) No.19454 of 2018

Date :31/10/2018

JM/PN/SAR 4/31.10.2018/2P/7C