



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

Monday, the Twenty Seventh day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.14818 of 2018

MURUGESAN

... PETITIONER / ACCUSED No.36

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
Crime No.161/2017

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.R.RAMACHANDRAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

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

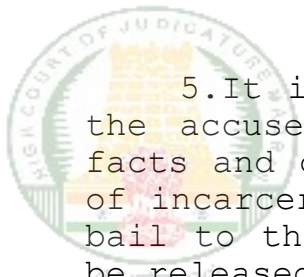
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 03.08.2018 for the offences punishable under Sections 147, 148, 341, 324, 307, 302 and 506(ii) I.P.C. in Crime No.161 of 2017 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that due to previous enmity between two groups in the Village in performing the Mulaipari Festival, on 28.05.2017 at about 6.00 p.m the petitioner along with 38 accused persons attacked one Nagaraj with deadly weapons and thereby he died on the spot. Hence, the case has been registered.

3.The learned counsel for the petitioner would submit that based on the confession statement of Accused Nos.1 and 2, this petitioner has been implicated in this case. He further submitted that the petitioner is an innocent person. He did not commit any offence as alleged by the prosecution. He is in incarceration from 03.08.2018 onwards. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that totally there are 39 accused in this case. The petitioner herein is arraigned as Accused No.36. There is no previous pending against the petitioner and the investigation is still pending.



5.It is seen that the co-accused were granted bail and some of the accused were also granted anticipatory bail. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

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(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.II, Ramanathapuram.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders;

sd/-

27/08/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO II,
RAMANATHAPURAM.
 - 2.THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3.THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
 - 4.THE OFFICER INCHARGE,
SUB JAIL RAMANATHAPURAM.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.R.RAMACHANDRAN Advocate SR.No.16175

ORDER

IN

CRL OP(MD) No.14818 of 2018

Date :27/08/2018

TK/PN/SAR.2/27.08.2018/2P-7C