

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

Tuesday, the Eighteenth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16455 of 2018

K.P.MANIKANDAN

... PETITIONER / ACCUSED NO.8

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOVILANGULAM POLICE STATION,
RAMNAD DISTRICT.
CRIME NO.37/2018

... 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 :-

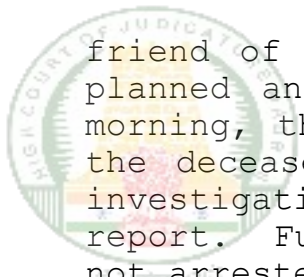
The petitioner is in judicial custody since 12.07.2018 for the offences punishable under Sections 147, 148 and 302 of IPC in Crime No.37 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 11.07.2018, one Muniyasamy along with his wife and son Nagamani went to their native village Veppankulam to celebrate Eruthukattu festival. Later on 12.07.2018, the villagers found that their son Nagamani has been killed by somebody and lying in Karuvel Forest. Hence, the complaint.

3. Thereafter, on confession of A-1 and A-13 and others, it comes to know that the deceased Nagamani already is an accused of murdering the friend of A-1. Therefore, A-1 and others intended to kill the deceased. There are totally 14 accused, in which, A-3 and A-14 are absconding.

4. The learned counsel for the petitioner would submit that only on confession of A-1, the petitioner is arrayed as A-8, he was arrested and remanded into judicial custody on 12.07.2018 itself. He would further submit that the petitioner is an innocent person and he has nothing to do with the crime as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that there are totally 14 accused. The deceased Nagamani is nothing but an accused of murdering the close



friend of the first accused. Therefore, all the accused persons planned and during the festival of Eruthukattu on 11.07.2018, at morning, the first accused and others attacked him with aruval and the deceased died on the spot. He would further submit that the investigation is pending and there are awaiting the post-mortem report. Further he contended that A-3 and A-4 are still absconding, not arrested.

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6. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner from 12.07.2018. As such, this Court is inclined to grant bail to the petitioner/Accused No.8. Accordingly, the petitioner/Accused No-8 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 Court, Kamuthi.

(ii) the petitioner shall appear before the Sivakangai Town Police Station daily at 10.30 a.m. until further orders;

sd/-

18/09/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE OFFICER INCHARGE, SUB JAIL, RAMNAD.
 4. THE INSPECTOR OF POLICE,
KOVILANGULAM POLICE STATION, RAMNAD DISTRICT.
 5. THE INSPECTOR OF POLICE,
SIVAKANGAI TOWN POLICE STATION.
 6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.R.RAMACHANDRAN Advocate SR.No.17682

ORDER IN

CRL OP(MD) No.16455 of 2018

Date :18/09/2018