



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

Thursday, the Twenty Seventh day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.16770 of 2018

MOHAMED KALITH @ VIJAYA KARTHI

... PETITIONER / ACCUSED NO.6

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.
(IN CR N. 543 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.M.A.JINNAH Advocate

For Respondent : PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody since 01.08.2018 for the offences punishable under Sections 341, 307 and 302 of I.P.C. @ 120(b), 341, 307 and 302 of I.P.C., in crime No.543 of 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that there was previous enmity existed between the accused persons and the deceased. Due to the said motive, the deceased and his group murdered one Jamal Mohammed. In these circumstances, on 31.07.2018, at about 01.30 p.m., when the deceased and the defacto complainant were proceeding in the motor cycle, the accused persons dashed the said motor cycle by using car and they stepped down from the Car and attacked the deceased by using deadly weapon. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. A1 to A4 were detained under Tamil Nadu Act 14 of 1982 and the petitioner is A6 and he is in incarceration from 01.08.2018. He would further submit that A5 in this case has been released on bail by this Court vide order dated 24.09.2018 made in CrI.O.P.(MD) No.15562 of 2018.



3.The learned Additional Government Pleader appearing for the State would submit that A1 to A4 were detained under Goondas Act and the investigation is pending..

5.Considering the facts and circumstances of the case and also considering the fact that A5 has already been released on bail by this Court, 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.I, Dindigul;

(ii) the petitioner shall appear before the Inspector of Police, Pudukkottai Town Police Station daily at 10.30 a.m. until further orders.

sd/-

27/09/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL.

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

3 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.

4.THE INSPECTOR OF POLICE,
PUDUKKOTTAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1. CC to MR.S.M.A. JINNAH Advocate SR.No. 18505

ORDER

IN

CRL OP(MD) No.16770 of 2018

Date :27/09/2018