



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

Tuesday, the Ninth day of October Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.17142 of 2018

MANIKANDAPRABHU

... PETITIONER / ACCUSED NO.5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.501 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.ANANDKUMAR Advocate

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

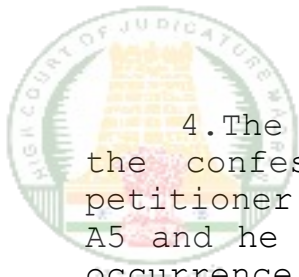
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody since 21.08.2018 for the offences punishable under Sections 147, 148, 302, 506(ii) of I.P.C. @ 120(B), 147, 148, 302 and 506(ii) of I.P.C.in crime No.501 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased was working in the defacto complainant's father's flower shop for the past 6 months and due to the previous enmity between the deceased and the first accused, on 21.08.2018 at about 16.30 hours, when the defacto complainant, his father and deceased were in the shop, A1 to A4 came there with deadly weapons and chased the deceased and attacked him and due to the injuries sustained by the deceased, he died and the accused 1 to 4 flew away from the place of occurrence through their respective motorcycles. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that as far as the present petitioner is concerned, he is arraigned as A5 and he is no way connected with the alleged occurrence. Even as per the case of prosecution, the petitioner helped one of the accused to flee away from the scene of occurrence through his bike. Further, he also contended that the petitioner is incarceration from 21.08.2018.



4.The learned Additional Public Prosecutor would submit that on the confession statement given by the first accused only, the petitioner has been implicated in this case and he is arraigned as A5 and he helped one of the accused to flee away from the scene of occurrence.

5.Considering the facts and circumstances of the case and also considering the period of incarceration by the petitioner from 21.08.2018, 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.III, Dindigul;

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

sd/-
09/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.
4. THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.J.ANANDKUMAR Advocate SR.No.19174

ORDER
IN
CRL OP(MD) No.17142 of 2018
Date :09/10/2018

JM/PN/SAR-4/09.10.2018/2P.7C