



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

Wednesday, the Tenth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.17374 of 2018

MUMBAI RAJA @ RAJA @ THANGARAJ

... PETITIONER/
ACCUSED NO.23

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION,
SUTHAMALLI, TIRUNELVELI DISTRICT.
CRIME NO.7 OF 2009

... RESPONDENT / COMPLAINANT

For Petitioner : MR.N.PRAGALATHAN Advocate

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

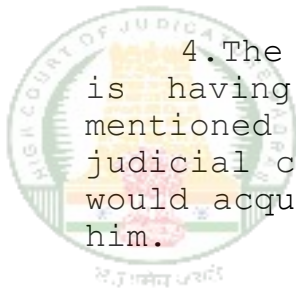
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 03.11.2009, for the offences punishable under Sections 147, 148, 302 of IPC r/w 149 and Section 120(b) and Section 4(b), 5(a) r/w Section 6 of Explosive Substances Act r/w 149 and 120(b) of IPC in Crime No.7 of 2009 on the file of the respondent police. He seek bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3.The case of the prosecution is that in the year 2007, one Manickaraj, who is the relative of A8 and A24, was murdered by the deceased Thirumalai alias Madhan. Hence, the Accused No.8 and No.24 conspired to murder the deceased Madhan with the help of other accused. Consequently, on 11.01.2009, at the inducement and instigation of the Accused Nos. 12,22,24 and 25, the Accused No.1 to 11 and 15, trespassed into the Varandha of the Kulathu Pillaiyar Kovil, Suthamalli, Tirunelveli District, wherein the above said Madhan, S.Iyyappan and N.Iyyappan were taking liquor. The Accused Nos. 1 to 3 cut the deceased S.Iyyappan with aruval resulting him death. The Accused Nos.4 to 6 cut the deceased N.Iyyappan with aruval resulting him to death. The Accused Nos.8 to 11 and 15 cut the deceased Madhan resulting him death. The Accused Nos.16,18,19,20 and 23 (the petitioner herein) were present in the vicinity of the scene of crime. The Accused No.17, 19 and 22 possessed explosive substances illegally. Hence, the case.



4.The learned counsel for the petitioner would submit that he is having relatives in Tamilnadu and residing in the address mentioned in the petition. However, he was arrested and remanded to judicial custody on 03.11.2009. He involved in another case and he would acquitted. Except this case no other case is pending against him.

5.Considering the above facts and circumstances of the case and the period of incarceration by the petitioner and also he is having permanent address in Tamilnadu, 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:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties i.e., one should be by his father and another should be by a blood relative of the petitioner, each for a like sum to the satisfaction of the learned I Additional District and Sessions Judge, Tirunelveli.

(ii)the petitioner shall report before the trial Court in S.C.No.783 of 2017 daily at 10.30 a.m. until further orders.

sd/-
10/10/2018

/ TRUE COPY /

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

TO

1. THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVELI.
2. THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION,
SUTHAMALLI, TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.N.PRAGALATHAN Advocate SR.No.19313

ORDER
IN
CRL OP(MD) No.17374 of 2018
Date :10/10/2018

MS/PN/SAR-1/10.10.2018/2P.6C