



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

Friday, the Fifth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.17803 of 2018

1.VICKY

2.BALAMURUGAN

... PETITIONERS / ACCUSED No.11 & 13

Vs

STATE,

REP.BY THE INSPECTOR OF POLICE,

KOVILANGULAM POLICE STATION,

RAMANATHAPURAM DISTRICT.

(CRIME NO.37/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.S.MAHENDRAPATHY 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 first petitioner is in judicial custody since 14.08.2018 and the second petitioner is in custody since 02.08.2018 for the offences punishable under Sections 147,148,120(b) and 302 of IPC Crime No.37 of 2018 on the file of the respondent police. They seek bail.

2. The case of the prosecution is that the deceased had murdered the close relative of A1. Therefore A1 had grudge against the deceased person and therefore there is retaliation. A1 along with 13 others attacked the deceased person on 11.07.2018 and the deceased person died on the spot. The petitioners before this Court are arrayed as A9 and A10. The overt act that has been ascribed as against these petitioners is that they were standing in the road and watching as to whether anybody is coming near the scene of occurrence.

3. The learned counsel for the petitioners would submit that first petitioner/A9 was arrested on 14.08.2018 and the second petitioner/A10 was arrested on 02.08.2018. Both these persons have been added as an accused only based on the confession statement



given by the co-accused. He would further submit that A5 and A8 have already been granted bail by this Court. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that totally 14 accused persons are involved in this offence. There was a clear motive behind the murder and it was retaliation for the murder of the close relative of A1 committed by the deceased person. He would further submit that chemical report is pending and investigation is almost completed.

5. Taking into consideration , the above facts and circumstances and also considering the period of incarceration of the petitioners and that the investigation is almost completed in this case, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioners 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, Kamudhi

(ii) the petitioners shall stay at Trichy and report before the Trichy Cantonment Police Station daily at 10.30 a.m and 5.30 p.m until further orders.

sd/-
05/10/2018

/ TRUE COPY /

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

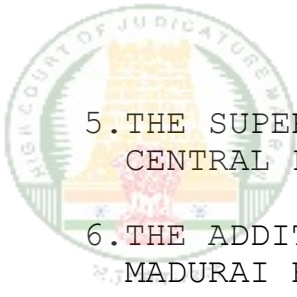
TO

1. THE JUDICIAL MAGISTRATE,
KAMUDHI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT

3. THE INSPECTOR OF POLICE,
KOVILANGULAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
4. THE INSPECTOR OF POLICE,
TRICHY CANTONMENT POLICE STATION, TRICHY.



5. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI

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

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+1. CC to MR.S.MAHENDRAPATHY Advocate SR.No.19030

ORDER

IN

CRL OP (MD) No.17803 of 2018

Date :05/10/2018

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AE/MMS/SAR1/08.10.2018/3P/8C