



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.17667 of 2018

1 M.KANNAYIRAMOORTHY
2 H.ALAGURAJA
3 M.KARUPPANAN @ KARTHICK

... PETITIONERS/
ACCUSED NOS.11,12 AND 13

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOVILANKULAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CRIME NO.37 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.C.M.ARUMUGAM 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 :-

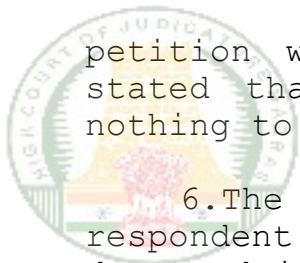
The petitioners are in judicial custody since 01.08.2018, for the offences punishable under Sections 147, 148 and 302 of IPC in Crime No.37 of 2018 on the file of the respondent police. They seeks bail.

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 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.

4.As per the confession of first accused, the overt act as against the petitioner is concerned, the petitioner one - Arun watching on the road and also directed by the first accused, to inform if anybody comes on that road.

5.The learned counsel for the petitioners would submit that he has filed a not press memo and stating that he has not pressed this



petition with regard to the petitioner Nos.2 and 3. He further stated that the petitioners are innocent persons and they have nothing to do with the crime as alleged by the prosecution.

6.The learned Additional Public Prosecutor appearing for the respondent would submit that there are totally 14 accused. The deceased 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, a morning the first accused and others attacked him with aruval and the deceased died on the spot. He would further submit that A5 and A6 were released on bail by this Court and A12 and A13 have been released on bail by the Sessions Court, Ramanathapuram.

7.Considering the above facts and circumstances of the case and the period of incarceration by the petitioner No.1, this Court is inclined to grant bail to the petitioner No.1. Accordingly, the petitioner No.1 is ordered to be released on bail subject to the following conditions:

(i) the petitioner No.1 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, Kamuthi.

(ii)the petitioner No.1 shall report before the respondent police daily at 10.30.a.m. until further orders.

8.This Criminal Original Petition is dismissed as not pressed as against the petitioner Nos. 2 and 3.

sd/-
10/10/2018

/ 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 SUPERINTENDENT,CENTRAL JAIL, MADURAI.
4. THE INSPECTOR OF POLICE,
KOVILANKULAM POLICE STATION, RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.C.M.ARUMUGAM Advocate SR.No.19284

ORDER IN
CRL OP(MD) No.17667 of 2018
Date :10/10/2018