



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

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD) No.1331 of 2019

KUMARAVADIVEL

... PETITIONER / ACCUSED No.6

Vs

THE STATE REP.BY  
THE SUB INSPECTOR OF POLICE,  
VADAMADURAI POLICE STATION,  
DINDIGUL DISTRICT.  
Crime No.572 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.GOKUL RAJ Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

**ORDER :** The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 15.11.2018 for the offences punishable under Sections 147, 148, 302 and 506(ii) of I.P.C, in Crime No.572 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant namely Ganesan and his wife Manjula @ Manjana Petchi, are doing money lending business and they have lended money to the first accused namely Maleeshmurugan and on 09.11.2018, the deceased Manjula went to Maleeshmurugan's house for demanding repayment of the loan amount. On 13.11.2018, at about 01.30 p.m., the first accused has called the deceased through phone and asker her to come to Thirukan bus stop for collecting the amount, when the deceased went to the said plance at about 03.30 p.m., the first and second accused came in a TATA Sumo armed with deadly weapon and attacked the deceased. The deceased succumbed to her injury. Thereafter, case came to be registered.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case. He would further submit that the petitioner is in custody for more than 71 days and co- accused in this case had already been released on bail.



4. The learned Additional Public Prosecutor would submit that the petitioner is the sixth accused in this case. He would further submit that the petitioner has watched the occurrence.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Vedasandur, Dindigul District, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
29/01/2019

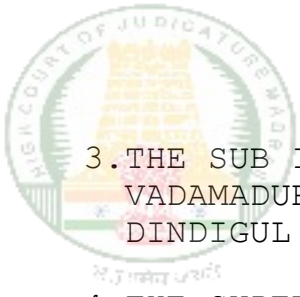
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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,  
VEDASANDUR, DINDIGUL DISTRICT.

<https://hcservices.mca.gov.in/hcservices/>  
2. THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL DISTRICT.



3. THE SUB INSPECTOR OF POLICE,  
VADAMADURAI POLICE STATION,  
DINDIGUL DISTRICT.

4. THE SUPERINTENDENT,  
CENTRAL JAIL, MADURAI.

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

ORDER

IN

CRL OP (MD) No.1331 of 2019

Date : 29/01/2019

TK/VR/SAR-1/29.01.2019/3P/6C