



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

Monday, the Eighteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2495 of 2019

VEERAMANIKANDAN

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH,
THE SUB INSPECTOR OF POLICE,
SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT
CRIME NO.387/2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.JOTHI BASU, 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 who was arrested on 28.12.2018 for the offence under Section 302 IPC, in Cr.No.387 of 2018, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner's sister was studying B.Ed in the local College. After college hours, she used to return home, at that time, some local persons namely, Esakimuthu and Mani were teased her and hence, there was wordy quarrel in between them and the same was questioned by the deceased person, who was local rowdy and who had facing many criminal cases in different Courts. Thereafter, when the petitioner was leaving his home town to Chennai, the deceased person requested him to stay along with him. On the date of occurrence, there was a wordy quarrel in between them, for which, the petitioner committed murder of the deceased person. Hence, the sister of the deceased preferred a complaint before the respondent police.

3.The learned counsel appearing for the respondent police would submit that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person. He would further submit that the petitioner was not available in the scene of occurrence and that based on his confession, the respondent police arrested him on the same day and hence, he would pray for bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that though initially the defacto complainant said that the deceased and the petitioner roaming in and around the area, after investigation and based on the confession of the petitioner, he was implicated in this case. He would further submit that investigation is pending.

5. Considering the nature of the case and considering the period of incarceration, I am inclined to grant bail to the petitioner. 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Rajapalayam, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/02/2019

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE,
SEITHUR POLICE STATION, VIRUDHUNAGAR DISTRICT

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1. CC to MR.M.JOTHI BASU, Advocate SR.No.3245

ORDER
IN
CRL OP(MD) No.2495 of 2019
Date :18/02/2019

GNS
PK/VR/SAR-4/18.02.2019 : 3P/7C