



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

Friday, the Twenty Second day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2780 of 2019

GOKUL PRADEEP

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DINDIGUL TOWN WEST POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.
(CRIME NO.4/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.PALANI VELAYUTHAM Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

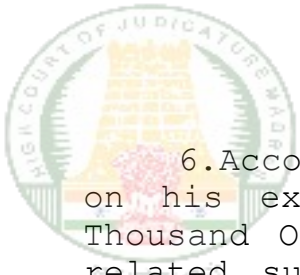
The petitioner who was arrested on 05.01.2019 for the offence under Sections 147, 148, 341, 302 and 109 IPC in Cr.No.4 of 2019, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the deceased in this case was the eye witness of earlier case and hence, the accused person committed murder of the deceased. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit the petitioner name is not found in the First Information Report and accordingly, he would pray for bail.

4.The learned Government Advocate(Crl.side) would submit that the petitioner helped the other accused person in order to commit the murder of the deceased. He would further submit that there is no previous case as against the petitioner and that investigation is pending.

5.Considering the facts and circumstances of the case and considering the period of incarceration, I am 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Dindigul District 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/-
22/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL DISTRICT.

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

3. THE INSPECTOR OF POLICE,
DINDIGUL TOWN WEST POLICE STATION,
DINDIGUL DISTRICT.



4. THE OFFICER INCHARGE
SUB JAIL,
NILAKOTTAI.

5. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

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

+1. CC to MR.S.PALANI VELAYUTHAM Advocate SR.No.3611

ORDER

IN

CRL OP (MD) No.2780 of 2019

Date :22/02/2019

AE/VR/SAR-IV/22.02.2019/3P/8C