



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

Friday, the Twenty Ninth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3998 of 2019

M.KARANTHAN

... PETITIONER/ ACCUSED No.3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
VADAMADURAI,
DINDIGUL DISTRICT.
Crime No.17 of 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr. V. MUTHUSAMUNDEESWARAN 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 and remanded to judicial custody since 09.02.2019 for the offences punishable under Sections 302 IPC @ 147, 148, 342 and 302 of IPC in Crime No.17 of 2019, on the file of the respondent police, seeks bail.

2. The petitioner herein A3. The case of the prosecution is that A1 induced the defacto complainant to purchase one precious stone (Nagamanikkal) along with him and accordingly, A1 agreed to sell the Nagamanikkal. After receipt of some amount A1 handed over the Nagamanikkal. However, since the balance amount was not paid he was claimed to return back the same. Thereafter, after giving the further amount, the defacto complainant came with the deceased and demanded the A1 to return the Nagamanikkal to him as agreed. But, there was a wordy quarrel arose between them. At that quarrel A1 along with other accused persons attacked the deceased who came along with the defacto complainant, thereby he sustained injuries and passed away. Hence, the complaint.

3.The learned for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He would also submit that co-accused was granted bail. Accordingly, he prayed for bail.



4. The learned Additional Public Prosecutor appearing for the state would submit that initially his name was not implicated in this case. Based on the confession his name was implicated.

5. Considering the facts and circumstances of the case and considering the period of incarceration and since the main accused were arrested and remanded in judicial custody and the co-accused already released on bail, 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Veda sandur and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned 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/-
29/03/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
VEDASANDUR.

2. THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

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

4. THE OFFICER INCHARGE,
SUB JAIL, DINDIGUL.

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

+1. CC to Mr.V.MUTHUSAMUNDEESWARAN Advocate SR.No.5788

ORDER

IN

CRL OP (MD) No.3998 of 2019

Date :29/03/2019

TK/PN/SAR-2/29.03.2019/3P/7C