



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

Thursday, the Sixteenth day of May Two Thousand Nineteen
PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

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CRL OP (MD) No.6870 of 2019

1 CHINNADURAI
2 NATESAN

... PETITIONERS / ACCUSED RANK NO.1 & 2
- Vs-

STATE REP.BY
THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION,
TRICHY DISTRICT.
CRIME NO.84 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.K.PRAVEEN KUMAR, Advocate
For Respondent : Mr.K.K.RAMAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

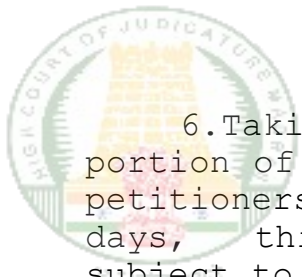
The petitioners/Accused No.1 & 2, who were arrested and remanded to judicial custody on 24.03.2019 for the offences punishable under Section 302 of IPC in Crime No.84 of 2019 on the file of the respondent police, seek bail.

2.Heard Mr.K.Praveen Kumar, learned Counsel for the petitioner and Mr.K.K.Ramakrishnan, Additional Public Prosecutor appearing for the State.

3.The case of the prosecution is that on 23.03.2019, the mother of A1 was murdered by the deceased Paramasivam. Aggrieved over the same, these petitioners have committed the murder of the deceased Paramasivam on 24.03.2019. Hence, the complaint.

4.The learned counsel for the petitioners submitted that the petitioners are innocents and have not committed any offences as alleged by the prosecution. The learned counsel further submitted that these petitioners were arrested and remanded to judicial custody on 24.03.2019 and they are languishing in the jail for the past 50 days.

5.The learned Additional Public Prosecutor on instructions from the respondent police would submit that there is no bad antecedent against the petitioners and also the substantial portion of the investigation has been completed. He further submitted that the petitioners, out of sudden outburst of anger, have committed this offence.



6. Taking into consideration of the fact that a substantial portion of the investigation is over and also the fact that the petitioners have already suffered incarceration for more than 50 days, this Court is inclined to grant bail to the petitioners subject to the following conditions.

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7. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Thuraiyur and on further conditions that:-

[a] the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds;

[b] the petitioners shall report before the respondent police daily at 10:30 a.m. until further orders;

[c] the petitioners shall not tamper the evidence or witness either during investigation or trial;

[d] the petitioners shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners abscond, the respondent police shall register a case as provided under Section 229-A IPC and

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-

16/05/2019

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

TO

1. THE JUDICIAL MAGISTRATE, THURAIYUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION, TRICHY DISTRICT.
4. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to Mr.K.PRAVEEN KUMAR Advocate SR.Nos.8520,8591

ORDER

IN

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Date :16/05/2019