



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 27/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.9081 of 2019

Venkatraj

... Petitioner/Accused No.4

Vs

State Rep.by

The Inspector of Police,
Dindigul Town North Police Station,
Dindigul District.
(Cr.No.227 of 2019).

... Respondent/Complainant

For Petitioner : M/s.G.Gunasundari,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

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

PRAYER :-

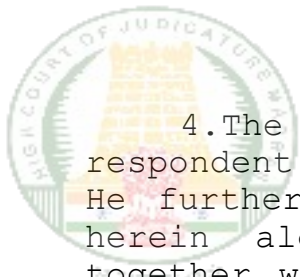
For Bail in Crime No.227 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petition has been filed by Accused No.4 seeking bail for the alleged offence punishable under Sections 147, 148, 302 and 506 (ii) IPC, in Crime No.227 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that even as per the FIR, due to previous enmity, on 23.04.2019 at about 09.30 a.m, the petitioner along with other accused persons attacked the defacto complainant's husband at Dindigul Hanumantha Nagar over bridge with aruval and caused death. He further submitted that A6 was already granted bail by this Court and there are so many previous cases pending against the deceased. He further submitted that the petitioner was arrested and remanded to judicial custody from 24.04.2019 and by this time, investigation might have been completed, and therefore, he prayed to grant of bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent has submitted that the petitioner herein arrayed as A4. He further submitted that due to previous enmity, the petitioner herein along with other accused persons unlawfully assembled together with deadly weapons and attacked the defacto complainants husband at Dindigul Hanumantha Nagar over bridge with aruval and patta kathi and caused death. He further submitted that based on the confession given by A1, the petitioner herein was falsely implicated in the above case. Hence, he opposed to grant bail to the petitioner.

5.Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 65 days and by this time, major part of the investigation might have been completed, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a]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, No.II, Dindigul.

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

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

[d]the petitioner shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-

27/06/2019

/ TRUE COPY /

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

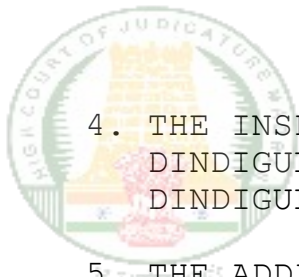
TO

1. THE JUDICIAL MAGISTRATE NO.II, DIDNIGUL.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

3. THE OFFICER INCHARGE, DISTRICT PRISON,
DINDIGUL.



4. THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to M/S.G.GUNASUNDARI Advocate SR.No.71931

ORDER

IN

CRL OP (MD) No.9081 of 2019

Date :27/06/2019

MS/VR/SAR-4/27.06.2019/3P.7C