



WEB COPY

CRL OP(MD). No.11901 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.11901 of 2019

1. Murugaraj
2. Surendran
3. Dinesh
4. Venkadesan

... Petitioners/Accused No.1 to 4

Vs

State Rep.by
The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
(In Crime No.90 of 2019)

... Respondent/Complainant

For Petitioners : M/s.R.Maheswaran,
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.90 of 2019 on the file of the Respondent Police.

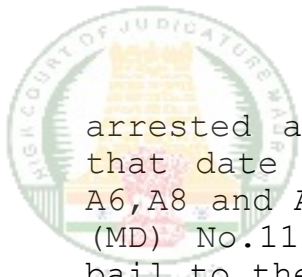
ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/ Accused-1 to 4 seeking bail for the alleged offence under Sections 302,147,148,294 (b),120(B),109 and 34 of IPC

2. Heard both sides

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the above case. He further submitted that the petitioners were

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



arrested and remanded to judicial custody on 15.06.2019 and from that date onwards they are in custody. He further submitted that A6,A8 and A9 in this case were granted bail by this Court in Crl.O.P (MD) No.11389 of 2019 on 16.08.2019. Therefore he prayed to grant bail to the petitioners.

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4. The learned Additional Public Prosecutor would submit that during investigation A1 was arrested and A1 gave confession statement before the respondent police stating that the deceased had eloped his daughter and hence he along with other accused persons attacked the deceased and committed murder. Hence he strongly opposed to grant bail to the petitioners. However he fairly conceded that A6,A8 and A9 in this case were granted bail by this Court in Crl.O.P(MD) No.11389 of 2019 on 16.08.2019.

5.Taking into consideration of the fact that in the First Information Report the names of the petitioners have not been mentioned and only based on the confession said to have been given by the co- accused before the police these petitioners have been arrayed as accused and also the fact that A6,A8 and A9 in this case were granted bail by this Court in Crl.O.P(MD) No.11389 of 2019 on 16.08.2019 and also the fact that the petitioners are in custody from 15.06.2019 and by this time a major portion of the investigation might have been completed, this Court is inclined to grant bail to the petitioners by imposing conditions:

[a] the petitioners are 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 Judicial Magistrate, Thiruvaiyaru.

[b] the petitioners shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

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

[d] the petitioners 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].



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

sd/-
27/08/2019

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 4. THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION, THANJAVUR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.MAHESWARAN Advocate SR.No.14139

ORDER
IN
CRL OP(MD) No.11901 of 2019
Date :27/08/2019

MS/VR/SAR-3/28.08.2019/3P.7C