

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

Date : 23/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.13219 of 2019

M. Vairamuthu

... Petitioner/Accused No.3

Vs

The State rep. by
The Inspector of Police,
Thiruchuli Police Station, Virudhunagar District.
(Crime No.160 of 2019). ... Respondent/Complainant

For Petitioner : M/s. C. Mayilvahana Rajendran,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.160 of 2019 on the file of the respondent

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2.The petitioner is in custody since 01.08.2019, for the offences under Sections 294(b) and 302 of I.P.C., in Crime No.160 of 2019, on the file of the respondent. Hence, he seeks bail.

3.The occurrence had taken place on 25.05.2019. The deceased was done to death by the two named accused. The petitioner is not figuring in the FIR. However from the confession, it has been brought out that the petitioner had supplied the weapon to the accused.

4.The learned Government Advocate (Crl. Side) opposed the relief of bail by pointing out that the petitioner is having previous cases.

5.The petitioner's counsel would point out that the deceased was known to the petitioner. The named the accused had deliberately

<https://hcservices.courts.gov.in/hcservices/index.html> also.

6.Since the petitioner has not played any major role and his continued incarnation will not serve any purpose, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute 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, Aruppukottai.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
23/09/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE SUPERINTENDENT, DISTRICT PRISON, VIRUDHUNAGAR.
 4. THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION, VIRUDHUNAGAR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate SR-16147.

ORDER
IN
CRL OP(MD) No.13219 of 2019
Date :23/09/2019