



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

Date : 02/01/2020

PRESENT

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

CRL OP(MD). No.19265 of 2019

WEB COPY

1. Karthick  
2. Kannaiah @ Kannan ... Petitioners/Accused Nos. 1 & 2

Vs

State Represented by  
The Inspector of Police,  
Alagappapuram Police Station,  
Karaikudi,  
Sivagangai District,  
(In Crime No.98/2019). ... Respondent/Complainant

For Petitioner : M/s.V.Angusamy, Advocate.  
For Respondent : Mrs.M.Ananthi Devi,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail petition in Crime No.98 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

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

2. The petitioners are in custody since 09.11.2019 for the offences under Section 302 of IPC in Crime No.98 of 2019 on the file of the respondent police. They seek bail.

3. The prosecution case is that the first petitioner had parted with certain sum of money to the deceased to enable him to run finance business. It appears that the deceased had not accounted for the said amount received from the first petitioner herein. The first petitioner was originally employed abroad. This is said to be the motive for the occurrence.

4. The case against the petitioner rests on circumstantial evidence. Investigation appears to be substantially over. The petitioners are not having any previous case.



5. Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners 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, Karaikudi.

(ii) the petitioners are 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 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].

sd/-  
02/01/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI, SIVAGANGAI DISTRICT.

2 -DO-THRO- THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE  
ALAGAPPAPURAM POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT

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

+1 CC to M/s.A.BALAJI, Advocate ( SR-34[I] dated 02/01/2020 )

ORDER IN  
CRL OP(MD) No.19265 of 2019  
Date : 02/01/2020

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