



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2021

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PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD) . No.6389 of 2021

Sankaramanikandan @ Ponnangan

... Petitioner/Accused No.2

Vs

State through
The Inspector of Police,
Karimedu Police Station,
Madurai.

(Crime No.1272/2020).

... Respondent/Complainant

For Petitioner : M/s.Vijayasurya.R,
Advocate.

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

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

PRAYER :-

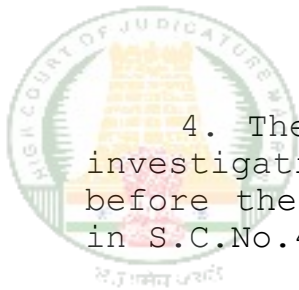
For Bail in Crime No. 1272 of 2020 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 24.08.2020 for the offences punishable under Sections 302 of IPC @ 147, 148, 342, 302,120(b) of IPC and 34 of IPC r/w.83 (2) of Juvenile Justice (Care and Protection) Act on the file of the respondent police seeks bail.

2.The case of the prosecution is that due to previous enmity all the accused persons conspired together and committed the murder of the deceased.. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated as an accused in this case. He would further submit that there is no motive between the petitioner and the deceased to commit the murder. He would also submit that petitioner is in judicial custody from 24.08.2020, hence he seeks bail.



4. The learned Government Advocate(Crl.Side) would submit that investigation is completed and the final report has been filed before the concerned Court and the same has been taken cognizance in S.C.No.421 of 2020.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that the investigation has been completed and the final report has been filed before the concerned Court and the same has been taken cognizance in S.C.No.421 of 2020 , this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, 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.V, Madurai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the learned Judicial Magistrate No.V, Madurai on every Monday at 10.30 am., until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

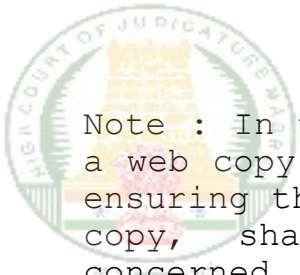
v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
05.05.2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE NO.V, MADURAI.
2. DO THROUGH THE CHIF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON, MADURAI
4. THE INSPECTOR OF POLICE,
KARIMEDU POLICE STATION,
MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6389 of 2021

Date : 05/05/2021

VB VR SAR I(05/05/2021) 3P / 6c