



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

Date : 18/06/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.7784 of 2021

Manimaran

... Petitioner/Accused No.8

Vs

The State rep.by,
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District
Crime No.149 of 2021.

... Respondent/Complainant

For Petitioner : Mr.D.Ramesh Kumar,
Advocate.

For Respondent : Mr.K.Sanjay Gandhi
Government Advocate (Crl.Side)

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

PRAYER :-

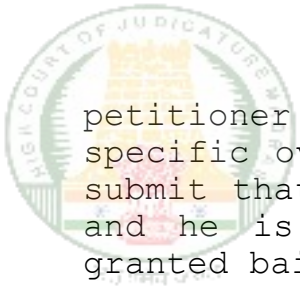
For Bail in the Crime No.149 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on 17.04.2021 for the offences punishable under Sections 302 of IPC @ Section 147,148,342,302 of IPC r/w. Section 109 and 120(b) of IPC in Crime No.149 of 2021, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner along with other accused murdered the defacto complainant's brother- in -law. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would also submit that the co-accused in this case namely A10 and A11 were released by the Sessions Court. He would further submit that the



petitioner was not present in the scene of occurrence and no specific overt act has been attributed against him. He would also submit that the petitioner voluntarily surrendered before the Court and he is in judicial custody from 17.04.2021, hence he may be granted bail.

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4. The learned Government Advocate(Crl.Side) would submit that this is the second bail petition and also submitted that there are totally 11 accused in this case and the petitioner herein is arrayed as A8. He would also submit that the specific overt act has been attributed against the petitioner herein and the investigation is almost completed.

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

6. Considering the above facts and the period of incarceration and also the fact that investigation is almost completed as stated by the learned Government Advocate and considering the urgent need and necessity to ensure social distancing and thereby, to reduce the scope of infection, it is essential that the prisons are de-congested as much as possible. Keeping this in view, this Court is inclined to release the petitioner on bail, subject to the following conditions:

7. 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 Court No.II, Ramanathapuram District.

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 respondent police on every Monday at. 10.30 a.m., for a period of two months and thereafter as and when required.

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 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

<https://hcservices.mca.gov.in/hcservices/> 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/-
18/06/2021

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/ /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.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
RAMANTHAPURAM
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
4. THE OFFICER IN-CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7784 of 2021
Date : 18/06/2021

TTA
PK/AKM/SAR-I/18.06.2021 : 3P/6C