



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

Date : 23/07/2021

PRESENT

WEB COPY

The Hon'ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP (MD) . No.9787 of 2021

Venkatraman

... Petitioner/Accused No.6

Vs

The State Rep. by,
The Inspector of Police,
Thiruvidaimaruthur Police Station,
Thiruvidaimaruthur,
Thanjavur District.
(Crime.No.759 of 2021).

... Respondent/Complainant

For Petitioner : Mr.Palani Velayutham, Advocate.

For Respondent : Mr.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.759 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner is the 6th accused in this case. He was arrested and remanded to Judicial Custody on 18.06.2021 for the offences punishable under sections 147, 148, 118 r/w 302, 120(b) of IPC and Section 25(1B)(b) of Indian Arms Act, 1959 in Crime No.759 of 2021 on the file of the respondent police. He seeks bail.

3.The learned counsel for the petitioner submits that the petitioner is innocent and on the basis of the summons issued to him, he appeared before the respondent police and also he had furnished relevant materials that was sought from him regarding crime. Except this, the petitioner has no other role in the crime, but still he was detained from the said date, when he was appeared before the respondent police. He further states that the name of the



petitioner had been wrongly implicated in the FIR and he was nowhere in the scene of occurrence at the time of occurrence. Hence, the learned counsel prays for bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent vehemently objects for granting bail to the petitioner stating that one Manikandan contacted over-phone with his brother that he decided to murder one Ma.Ka.Stalin and in this connection, he used the cell phone and made arrangements to murder the said Ma.Ka.Stalin and in this connection, A6 was contacted for mobilizing funds for the expenses and also for preparing the arrangements for the murder of Ma.Ka.Stalin.

5. Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioner on bail with certain 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 District Munsif cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur District and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.00 am., until further orders.

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

[d] the petitioner 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 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]**.

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

sd/-
23/07/2021

/ 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.

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
SALEM DISTRICT.
4. THE INSPECTOR OF POLICE,
THIRUVIDAIMARUTHUR POLICE STATION,
THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.9787 of 2021
Date :23/07/2021

mm

USK/VR/SAR-IV : 22/07/2021 : 3P/6C