



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/11/2021
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.18275 of 2021

Velmurugan

... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
Peravurani Police Station,
Thanjavur District
(Crime No.720 of 2021)

... Respondent/Complainant

For Petitioner : Mr.B.Jameel Arasu, Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.720 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 18.09.2021 for the offence punishable under Section 302 of IPC in Crime No.720 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to some dispute regarding supply of water the petitioner along with other accused said to have murdered 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 in this case. He would also submit that the name of the petitioner does not find place in the First Information Report and only on the confession given by the co-accused his name has been implicated as an accused. He would also submit that the petitioner is in judicial custody from 18.09.2021, hence he seeks bail.

4.The learned Additional Public Prosecutor for the respondent police would submit that only this accused caused injuries on the deceased. He would also submit that A2 was arrested and released on bail. A1 is still absconding.



5.Considering the facts and circumstances of the case and also the facts that there existed a previous enmity between the parties, that the petitioner is not having any previous cases for serious offences that the investigation might have been completed by this time and that the petitioner is in judicial custody from 18.09.2021, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai, Thanjavur 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 daily at 10.30 a.m., 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

30/11/2021

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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 COURT,
PATTUKKOTTAI, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION, THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.18275 of 2021
Date :30/11/2021

AAV
MK/VR/SAR.III/30.11.2021/3P/6C