



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Twelfth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.10070 and 10091 of 2015

WEB COPY

AJITH

... PETITIONER / ACCUSED NO.5
IN CRL OP(MD) No.10070 of 2015
AND ... PETITIONER / ACCUSED NO.4
IN CRL OP(MD) No.10091 of 2015

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PUDUKADAI POLICE STATION, KANYAKUMARI DT,
CRIME NO.126/2015 IN CRL OP(MD) No.10070 of 2015
AND
CRIME NO.381/2013 IN CRL OP(MD) No.10091 of 2015

... RESPONDENT / COMPLAINANT IN BOTH THE CASES.

For Petitioner : M/S.M.PUNITHA DEVA KUMAR Advocate
IN BOTH THE PETITIONS

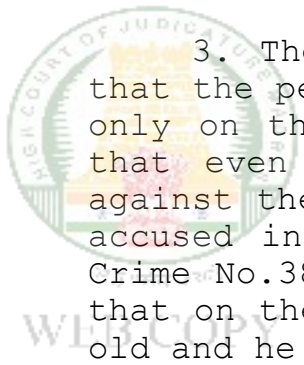
For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioner/A1 in Crl.O.P.No.10070 of 2015, who was arrested by the respondent police on 29.03.2015 for the alleged offences punishable under Sections 147, 148 and 302 IPC in Crime No.381 of 2013 on the file of the respondent police, seeks bail. The petitioner/A5 in Crl.O.P.No.10091 of 2015, who was arrested by the respondent police on 29.03.2015 for the alleged offences under Sections 147, 148 and 302 IPC in Crime No.126 of 2015 on the file of the respondent police, seeks bail.

2. In Crl.O.P.No.10070 of 2015, one Mrs. Chandrika preferred a complaint alleging that her husband was 5th Ward Counselor of Pudukkottai Town Panchayat while the first accused was the fourth Ward Counsellor of the Panchayat and due to misunderstanding they were not in talking terms. On 23.05.2015 at 6.30 p.m, the first accused took the deceased to the President of the Panchayat namely Mr.Mohankumar to compromise the dispute and thereafter at 10.30 p.m all the accused have attacked her husband and caused his death. In Crl.O.P.No.10091 of 2015 the case of the prosecution is that on 01.11.2014, at about 9.30 p.m the accused attacked the deceased and



3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been implicated only on the confession of the co-accused. It is further submitted that even as per the complaint, the main allegations were made against the other accused and on the basis of the confession of co-accused in Crime No.126 of 2015, the petitioner was implicated in Crime No.381 of 2013 also. The learned counsel would further submit that on the date of alleged occurrence, the petitioner was 16 years old and he prays for grant bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the State opposed the bail petitions stating that in Crime No.126 of 2015, the petitioner had attacked the deceased with bricks on his neck and there is specific overt act against this petitioner and it is further submitted that the petitioner is having one previous case of 302 IPC and in that case, the petitioner is said to have caught hold of the deceased while other accused were attacking with lethal weapons. He would further submit that major part of investigation is over.

5. Considering the period of incarceration of the petitioner, I am inclined to grant bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on 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.II, Kuzhithurai, and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m and 5.00 p.m. until further orders.

sd/-
12/06/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI.
2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGARCOIL.
3. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSPECTOR OF POLICE
PUDUKADAI POLICE STATION, KANYAKUMARI DISTRICT.
5. THE OFFICER INCHARGE, JUVENILE HOME, NANGUNERI.
- +1. CC to M/S.M.PUNITHA DEVA KUMAR Advocate SR.No.30200
- +1cc to Mr.M.PUNITHA DEVA KUMAR , Advocate, in SR. No. 30201

ORDER IN

CRL OP (MD) Nos.10070 & 10091 of 2015
Date : 12/06/2015