



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

Wednesday, the Seventeenth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10903 of 2015

WEB COPY

1 MANIKANDAN
2 MANMATHAN
3 KARUPPAIAH
4 THIRUPATHI
5 RAMESHKANNAN
6 VEILMUTHU
7 MUNESWARAN

... PETITIONERS/ACCUSED NO.1 TO 7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KRISHNANKOVIL POLICE STATION,
VIRUDHUNAGAR DT
CRIME NO.116/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate
For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A7 in Crime No.116 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 03.06.2015 for the alleged offences punishable under Sections 147, 148, 294(b), 341, 323, 324, 450, 307 and 380 of I.P.C., and Section 3 of TNPPDL Act, and hence seek bail.

2.The case of the prosecution is that due to dispute over celebrating the temple festival, the accused attacked the de-facto complainant and damaged the articles in his shop worth about Rs.3,000/- and also taken away Rs.84,500/- from the shop.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that if theft had been actually committed in the shop of the de-facto complainant, the police could have recovered the amount by taking custody of the petitioner, after remand. He further submitted that only to prevent the petitioners from coming out of bail, these false allegations has been levelled against them.



4.The learned counsel on instruction would submit that the petitioners without prejudice to the rights and contention are ready and willing to deposit a sum of Rs.5,000/- to the credit of Crime No.116 of 2015 on the file of learned Judicial Magistrate No.II, Srivilliputhur.

5.Per contra, the learned Government Advocate (Crl.side) submitted that on 02.06.2015 all the accused trespassed into the shop of the de-facto complainant and caused damages and also took away Rs.84,500/-. He further submitted that the injured has discharged from the hospital.

6.Considering the facts and circumstances of the case and also considering the fact that the injured has discharged from the hospital, this Court is inclined to grant bail to the petitioner. 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, **(*)Srivilliputhur**, and on further condition that the petitioners shall deposit a sum of Rs.5,000/- each to the credit of Crime No.116 of 2015 on the file of the learned Judicial Magistrate No.II, Srivilliputhur and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m until further orders.

sd/-
17/06/2015

(*)Corrected order issued.

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

To be substituted the order copy despatched on 17.06.2015.

- 1 THE JUDICIAL MAGISTRATE NO.II, KULITHURAI, KANYAKUMARI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.
- 3 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 4 THE OFFICER INCHARGE, SUB JAIL, SRIVILLIPUTHUR.
- 5 THE INSPECTOR OF POLICE
KRISHNANKOVIL POLICE STATION, VIRUDHUNAGAR DT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.31485

ORDER IN
CRL OP(MD) No.10903 of 2015
Date :17/06/2015