



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Seventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.16689 of 2015

WEB COPY

1 AJAY @ MOHAMED ALHASIP
2 ARAVINTH
3 MANIKANDAN

..PETITIONERS/ACCUSED 1 TO 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
(CR.NO. 353/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S D.RAMESHKUMAR Advocate

For Respondent : M/s.S.PRABHA, Government 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 A3 in Crime No.353 of 2015 on the file of the respondent police, A1 and A3 were arrested and remanded to judicial custody on 27.07.2015 and 28.07.2015 respectively and A2 was surrendered on 31.07.2015 for the alleged offences punishable under Sections 294(b), 323, 324 and 302 of I.P.C., and hence, seek bail.

2.According to the prosecution, on 26.07.2015 the accused have demanded the deceased to purchase water packet for mixing with the liquor and when he refused to do so, he was assaulted by the accused with hands and pushed him down and thereby causing his death.

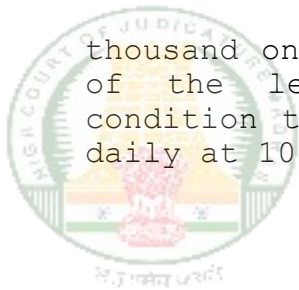
3.The learned counsel for the petitioners submitted that the petitioners and the deceased are close friends and on 26.07.2015, they were waiting near bus-stand after finishing their work. Whilso, the deceased came in an inebriated mood and demanded money from the petitioners and at that time, the deceased had also injuries on his body and thereafter, he fell down, the same was intimated to the de-facto complainant, who is a co-brother of the deceased and the accused have sent him to the hospital and later, they were falsely implicated in this case.

4.The learned Government Advocate (Crl.side) would submit that the case has been registered on 27.09.2015 and the deceased died on 30.07.2015 and the major part of the investigation is over.

5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail on the following conditions.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Accordingly, the petitioners are directed to be released on bail on each of them 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, Uthamapalayam and on further condition that the petitioners shall report before the respondent police daily at 10.00 a.m., until further orders.

sd/-

07/09/2015

/ TRUE COPY /

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Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, CUMBUM NORTH POLICE STATION, THENI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S D. RAMESHKUMAR Advocate SR.No.52196

ORDER IN

CRL OP(MD) No.16689 of 2015

Date : 07/09/2015

PBK/AAL-MPA/SAR-II 07/09/2015 ::2P-7C::