



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

Thursday, the Twenty Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11654 of 2015

1 ÀRUN @ ARUNKUMAR

2 VIVIN

... PETITIONERS/ ACCUSED A7 & A9

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ARALVAYEEMOZHI POLICE STATION,

KANYAKUMARI DT,

CRIME NO.155/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

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

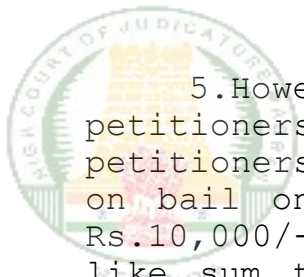
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A7 and A9 in Crime No.155 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 04.05.2015 for the alleged offences punishable under Sections 147, 148, 149, 341, 294(b), 323, 307 and 302 of I.P.C., and hence, seek bail.

2.The case of the prosecution is that on 30.04.2015, a dispute arose between the accused and one Kolappan with regard to erecting a banner, A1 was assaulted by the said Kolappan and due to the above dispute, on 02.05.2015 the accused attacked the son of the de-facto complainant and he succumbs to the injuries.

3.The learned counsel for the petitioners submitted that the father of the deceased is the de-facto complainant and he stated in the complaint that A1 and A2 have attacked the deceased. He further submitted that the petitioners have been falsely implicated in this case and that the petitioners are innocent persons and the petitioners are languishing in jail for more than 48 days. He would further submit that co-accused has already been granted bail by this Court in Crl.O.P.No.10604 of 2015 on 17.06.2015.

4.The learned Government Advocate (Crl.side) opposed the bail petition stating that the dispute in a temple festival, the accused attacked the deceased with lethal weapons. He further submitted that the investigation is at initial stage.



5. However, considering the overt act attributed against the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on each of them executing a separate 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, Bhoothapandi, Kanyakumari District and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m until further orders.

sd/-
25/06/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
BHoothAPANDI, KANYAKUMARI DISTRICT.
 2. THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGARCOIL.
 3. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 4. THE INSPECTOR OF POLICE
ARALVAYEEMOZHI POLICE STATION, KANYAKUMARI DISTRICT.
 5. THE OFFICER INCHARGE
BOLSTER SCHOOL, NANGANERI, TIRUNELVELI DISTRICT.
 6. THE SUPERINTENDENT CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- +1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.33710

ORDER
IN
CRL OP(MD) No.11654 of 2015
Date :25/06/2015

RG.25.06.2015 2P/8C.