



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

Tuesday, the Thirtieth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11990 of 2015

WEB COPY

1 SAJITH

2 RAJA @ SINGH

... PETITIONERS/ACCUSED NO.2 & 3

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
KALIYAKKAVILAI POLICE STATION,
KANYAKUMRI DT.
IN CRIME NO.189 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.C.HEROLD SINGH Advocate

For Respondent : Govt. Advocate (Crl. Side)

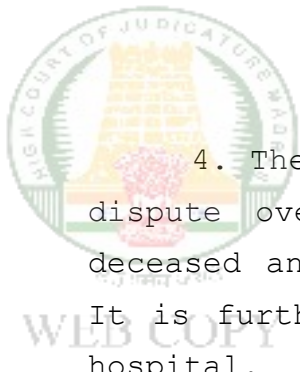
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 and 3 in Crime No.189 of 2015 on the file of the respondent police, was arrested on 04.05.2015 for the alleged offences punishable under Sections 341, 294(b), 307 and 302 of I.P.C., and hence, seek bail.

2. The case of the prosecution is that on 04.05.2015 at 8.30 p.m., when the deceased viz., Prabin Jebakumar was walking along with his friend Bibin Raj, the accused way laid them due to previous enmity and thereafter, A1 Ramesh had brought a patta knife from the house of A3 and attacked the deceased and the accused 2 and 3 attacked Bibin Raj and due to the injury, Prabin Jebakumar died and the injured Bibin Raj was discharged from the hospital.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that even as per the de-facto complainant, the first accused had attacked the deceased and caused his death and the petitioners have only attacked the injured. The learned counsel for the petitioners further submitted that A1 was already secured and remanded



4. The learned Government Advocate (Crl.side) submitted that due to dispute over catching of fish in a tank, the accused attacked the deceased and also injured Bibin Raj on 04.05.2015 with lethal weapons. It is further submitted that the injured has been discharged from the hospital.

5. Considering the period of incarceration and the overt act attributed against these petitioners, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kuzhithurai, 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/-
30/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI, KANYAKUMARI DISTRICT.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.
 - 3 THE OFFICER INCHARGE,
BORSTAL SCHOOL, NANGUNERI, TIRUNELVELI DISTRICT.
 - 4 THE INSPECTOR OF POLICE
KALIYAKKAVILAI POLICE STATION, KANYAKUMRI DT.
 - 5 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.C.HEROLD SINGH Advocate SR.No.34883

ORDER IN
CRL OP(MD) No.11990 of 2015
Date : 30/06/2015