



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

Thursday, the Second day of July Two Thousand Fifteen

WEB COPY

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.12246, 12247, 12250 and 12251 of 2015

1 JESURAJAN

2 JESU KITHERI ASAM

3 SANTHA GURUZ @ SOOSAI SANTHAGURUZ

4 SANTIAGU

5 SABASTHIAN

6 ROOSANK

7 RAJESH @ ARUL RAJESHKAMAL

... PETITIONERS/ACCUSED

RANK NOT KNOWN

in CRL OP(MD)Nos.12246 and 12247 of 2015

1 TERRANCE

2 SOOSAI ARUL VISTER

3 DAYSON

4 CLINGTON

5 MUHILAN

6 AHIILAN

7 VINO

... PETITIONERS/ACCUSED

RANK NOT KNOWN

in CRL OP(MD)Nos.12250 and 12251 of 2015

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

KOODANKULAM POLICE STATION,

TIRUNELVELI DISTRICT.

..RESPONDENT/COMPLAINANT

(CR.NO. 126/2015 IN CRL OP(MD)Nos.12246 and 12250/2015)

(CR.NO. 127/2015 IN CRL OP(MD)Nos.12247 and 12251/2015)

For Petitioners

in All the Petitions

: M/S.S.MALAIKANNI Advocate

For Respondent

<https://hcservices.adults.doh.hcservices>

: MR.K.V.RAJARAJAN,

Govt. Advocate (Crl. Side)



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PETITION FOR BAIL IN CRL OP(MD)Nos.12246 AND 12247 OF 2015 Under Sec. 439 Cr.P.C. AND PETITION FOR ANTICIPATORY BAIL IN CRL OP(MD)Nos.12250 AND 12251 OF 2015 Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners in Crl.O.P.No.12246 of 2015, who were arrested on 09.06.2015 for the alleged offences punishable under Sections 147, 148, 353, 294(b) and 506(ii) I.P.C and Section 3(1) of TNPPDL Act and Sections 3 and 4 of E.S. Act in Crime No.126 of 2015 on the file of the respondent police have moved a petition for bail.

The petitioners in Crl.O.P.No.12247 of 2015, who were arrested on 09.06.2015 for the alleged offences punishable under Sections 147, 148, 294(b), 307 and 506(ii) I.P.C and Section 3(1) of TNPPDL Act and Section 3 of E.S. Act in Crime No.127 of 2015 on the file of the respondent police have moved a petition for bail.

The petitioners in Crl.O.P.No.12250 of 2015 apprehending arrest at the hands of respondent police for the alleged offences punishable under Sections 147, 148, 353, 294(b) and 506(ii) I.P.C and Section 3 (1) of TNPPDL Act and Sections 3 and 4 of E.S. Act in Crime No.126 of 2015 on the file of the respondent police have moved a petition for anticipatory bail.

The petitioners in Crl.O.P.No.12251 of 2015 apprehending arrest at the hands of respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 307 and 506(ii) I.P.C and Section 3 (1) of TNPPDL Act and Section 3 of E.S. Act in Crime No.127 of 2015 on the file of the respondent police have moved a petition for anticipatory bail.

2.The case of the prosecution is that due to the dispute between two groups in a marriage function, the petitioners assembled with country bombs, abused the defacto complainant with filthy language, caused injury and damaged the property.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in the case.

4.The learned Government Advocate (Crl.Side) submits that some of the accused have previous cases and the injured had already been discharged from the hospital.



5. This Court has considered the submissions made by the learned counsel on either side and also perused the records.

6. Considering the period of incarceration of the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, it is ordered that the petitioners in Crl.O.P.Nos.12246 and 12247 of 2015 shall 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, Valliyoor, and on further condition that the petitioners shall stay at Tiruchendur and report before Tiruchendur Town Police Station at 10.00 a.m until further orders after their release on bail.

7. As far as the anticipatory bail **(Crl.O.P.Nos.12250 and 12251 of 2015)** petitions are concerned, considering the submission of the learned Government Advocate (Crl.Side) that the injured had already been discharged from hospital, this Court is inclined to grant anticipatory bail to them. Accordingly, the petitioners in Crl.O.P.Nos. 12250 and 12251 of 2015 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Valliyoor, and on each of them executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction to the learned Magistrate concerned and on further condition that the petitioners shall stay at Tiruchendur and report before Tiruchendur Town Police Station at 10.00 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail stands dismissed.

sd/-
02/07/2015

/ TRUE COPY /



1 THE JUDICIAL MAGISTRATE,
VALLIYOOR.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

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

4 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI

5 THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION, TIRUNELVELI DIST.

6 THE INSPECTOR OF POLICE
TIRUCHENDUR TOWN POLICE STATION,
TIRUCHENDUR.

+4. CC to M/S.S.MALAIKANNI Advocate SR.Nos.35582 to 35585

akm/02.07.15 /4p-11c/

ORDER
IN

CRL OP(MD) Nos.12246, 12247, 12250 and 12251 of 2015
Date :02/07/2015