



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

Thursday, the Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.12265 to 12267 of 2015

1 VENCILLO

2 RAJ

3 RAJ @ SILUVAI ARUL RAJA

... PETITIONERS/ ACCUSED

RANK NOT KNOWN in CRL OP(MD) No.12265 of 2015

1. V.PASTIN

2. V.JONISH

... PETITIONERS/ ACCUSED 18 & 19
in CRL OP(MD) No.12266 of 2015

1. V.PASTIN

2. V.JONISH

... PETITIONERS/ ACCUSED 50 & 51
in CRL OP(MD) No.12267 of 2015

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT ,

... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

CRIME NO.126/2015

... RESPONDENT / COMPLAINANT
in CRL OP(MD) No.12265 & 12267 of 2015

CRIME NO.128/2015

... RESPONDENT / COMPLAINANT
in CRL OP(MD) No.12266 of 2015

For Petitioner : M/S.G.THALAIMUTHURASU Advocate IN ALL THE PETITIONS

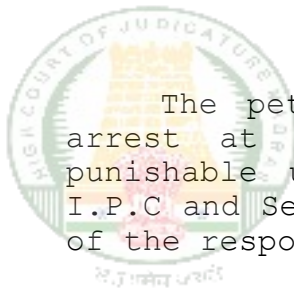
For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)
IN ALL THE PETITIONS

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

PETITIONS FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

COMMON ORDER : The Court Made the following order :-

The petitioners in Crl.O.P.No.12265 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.12266 of 2015/A18 & A19 apprehending arrest at the hands of respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) I.P.C and Sections 3 and 4 of E.S. Act in Crime No.128 of 2015 on the file of the respondent police have moved a petition for anticipatory bail.

The petitioners in Crl.O.P.No.12267 of 2015/A50 & A51 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.

2.The case of the prosecution is that due to dispute in the marriage function, the accused persons unlawfully assembled themselves with country bombs and abused the defacto complainant and others with filthy language and they caused injuries by throwing the country bombs and also caused damages to the house.

3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the defacto complainants.

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.No.12265 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 Tuticorin and report before Tuticorin North 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.12266 and 12267 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. 12266 and 12267 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 Tuticorin and report before Turicorin North 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.

WEB COPY

/ TRUE COPY /

sd/-
02/07/2015

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE OFFICER INCHARGE,
TUTICORIN NORTH POLICE STATION, TUTICORIN.
- 6 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+3. CC to M/S.G.THALAIMUTHURASU Advocate SR.No. 35617 to 35619

TS/02.07.2015/3P -10C

ORDER
IN
CRL OP(MD) Nos.12265 to 12267 of 2015
Date :02/07/2015