



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Third day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.12352 & 12397 of 2015

WEB COPY

1 THULASI MANIKANDAN

2 MANIKANDAN

3 PODI THIRUVAZHI

... PETITIONERS/ACCUSED Nos.3,4 &5
IN CRL OP(MD)NO.12352/2015.

DINESH KUMAR

... PETITIONERS/ACCUSED No.2
IN CRL OP(MD)NO.12397/2015.

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

ARALVAIMOZHI POLICE STATION,

KANYAKUMARI DT.

(CRIME NO.155 / 2015)

... RESPONDENT/COMPLAINANT IN BOTH PETITIONS

For Petitioners : M/S.S.SATHYA CHIDAMBARAM Advocate
in CRL OP(MD)NO.12352/2015.

For Petitioner : M/S.L.GEORGE PAUL ANTO, Advocate
in CRL OP(MD)NO.12397/2015.

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
IN BOTH PETITIONS

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

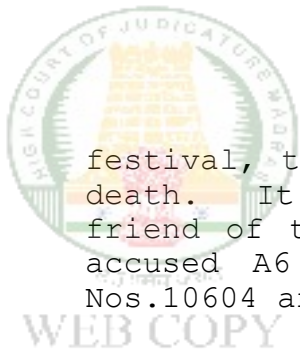
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 to A5 in Crime No.155 of 2015 on the file of the respondent Police were arrested on 06.05.2015 for the offences punishable under Sections 147, 148, 149, 341, 294(b), 323, 307 and 302 of IPC, seek bail.

2.According to the de facto complainant, on 30.04.2015 due to the dispute over erecting a banner, the second accused was assaulted by one Kolappan and due to the dispute, on 02.05.2015, the accused attacked the son of the de facto complainant and caused the death.

3.The learned counsel for the petitioners submitted that the deceased and his friends were acting as Goondas in the area and on 30.04.2015, the second accused was attacked by the friend of the deceased and therefore, he was admitted in hospital and discharged only on 02.05.2015 at 6 pm. But according to the prosecution, the occurrence had taken place on 02.05.2015 at 5.30 pm. It is further submitted that the accused are close friends and they are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that due to a dispute in a Temple



festival, the accused attacked the deceased with weapons and caused his death. It is further submitted that the second accused attacked the friend of the deceased on his head. It is further submitted that the accused A6 and A8 were granted bail by this Court in CrI.O.P.(MD) Nos.10604 and 10331 of 2015.

5.Considering the overt-act attributed against this 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 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, 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/-

03/07/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, BHOOHAPANDI, KANYAKUMARI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER INCHARGE, BORSTAL SCHOOL, NANGUNERI, TIRUNELVELI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, NAGERCOIL, KANYAKUMARI DISTRICT.
- 5 THE OFFICER INCHARGE,
KANYAKUMARI DISTRICT JAIL AT NAGERCOIL.
- 6 THE INSPECTOR OF POLICE
ARALVAYEEMOZHI POLICE STATION, KANYAKUMARI DT.
- 7 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.35957

+1. CC to M/S.L.GEORGE PAUL ANTO, Advocate SR.No.35845

ORDER

IN

CRL OP(MD) Nos.12352 & 12397 of 2015

Date :03/07/2015

PA/SJW/03.07.2015/2P/10C