



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

Wednesday, the Eighth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12686 of 2015

WEB COPY

1 RAJIV GANDHI @ MAYEE
2 RAJA

... PETITIONERS/ACCUSED 2 & 5

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION,
MADURAI DT

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.PANDIYAN Advocate

For Respondent : MR.K.V.RAJARAJAN, 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 A-2 and A-5 in Crime No.212 of 2015 on the file of the respondent police surrendered before the respondent police on 21.05.2015 for the alleged offences under Sections 147, 148, 302 of I.P.C r/w Section 3(2), (v) of SC/St Act, 1989 and hence seek bail.

2. The prosecution case is that due to previous enmity, the accused have attacked the deceased and killed him on 20.05.2015.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case; that on 22.03.2015, the deceased attacked the accused for which, a case was registered against the deceased in Crime No.140 of 2015 for the alleged offence punishable under Section 307 I.P.C; that the defacto complainant is not an eye-witness to that occurrence and only on suspicion, he implicated the petitioners in this case. He would further submit that A-1, A-4 and A-5 were released on bail by this Court in Crl.O.P(MD)No.12399 of 2015, vide order dated 03.07.2015.

4. The learned Government Advocate(Crl. Side) would submit that this is a case of retaliation and the accused have attacked the deceased with lethal weapon and caused death.



5. Considering the facts and circumstances of the case , I am inclined to enlarge the petitioners on bail on the following conditions. Accordingly, the petitioners are directed to be released on bail on 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, Vadipatti, and on further condition that the petitioners shall stay at Karur and appear before Karur Police Station daily twice at 10.00 a.m., and 5.30 p.m., until further orders.

sd/-
08/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION, MADURAI DT.

5 THE OFFICER INCHARGE,
KARUR POLICE STATION, KARUR.

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

+1. CC to M/S.V.PANDIYAN Advocate SR.No.36974

ORDER
IN
CRL OP(MD) No.12686 of 2015
Date :08/07/2015

PA/IV/08.07.2015/2P/8C