



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

Monday, the Sixteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21534 of 2015

1 GANESAN @ VELLAIYAN

2 GNANA GURU

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 584 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.SUNDARA PANDIAN Advocate

For Respondent : Mr.K.Anbarasan Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1 and 2, who were arrested and remanded to judicial custody on 13.09.2015 and 18.09.2015 respectively for the alleged offences punishable under Section 302 of IPC r/w Section 3(2)(v) of SC/ST (POA) Act, in Crime No.584 of 2015 on the file of the respondent police and hence, seek bail.

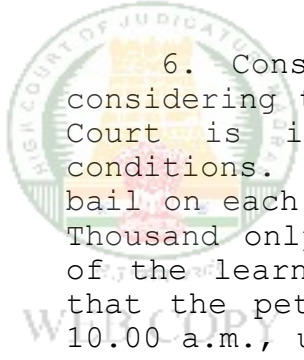
2.The case of the prosecution is that on 12.09.2015 the deceased was proceeding along with his wife and at that time, the petitioners asked the deceased to provide liquor to them. But the deceased refused to provide liquor and therefore, A-1 pushed down the deceased on the ground and A-2 attacked him with stone on the nose of the deceased and thereby caused death.

3. The case of the petitioners is that A-2 is a dog trader and he is having a farm at Rajapalayam and A-1 is an employee of A-2. They did not have any intention to murder the deceased and furthermore, the deceased did not die due to the injuries caused by the petitioners.

4. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners will co-operate with the investigation.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The learned Government Advocate(Crl. Side) on instructions submitted that the petitioners caused injury and due to the injury, the deceased died. He further submitted that the investigation is yet to be completed.



6. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the 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 each of them 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, Rajapalayam and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
16/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE, RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 5 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.
- +1. CC to M/S S.SUNDARA PANDIAN Advocate SR.No. 65545.
- TS/16.11.2015/2P-7C/AAL-MPA/SAR II

ORDER
IN
CRL OP(MD) No.21534 of 2015
Date :16/11/2015