



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

Tuesday, the Eleventh day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15510 of 2015

1 DURAIRAJ

2 KANAGARAJ

... PETITIONER(S) / ACCUSED 1 and 3

Vs

STATE REP BY:: THE INSPECTOR OF POLICE
SIRUGANUR POLICE STATION, TRICHY DISTRICT.
(IN CRIME NO. 190/2015)

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S N.ANANDAKUMAR Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

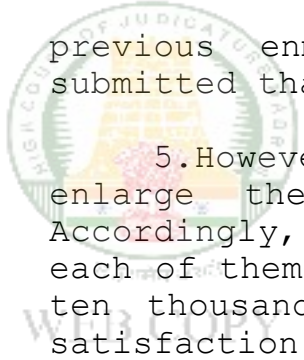
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A3 in Crime No.190 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 28.05.2015 and 01.06.2015 respectively for the alleged offences punishable under Section 302 of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that on 27.05.2015 due to previous enmity, the accused attacked the deceased with spade and spade handle and caused death to Thirupathi and one Arumugam.

3.The learned counsel for the petitioners submitted that the accused and the deceased have dispute over the right of enjoyment of six cents of land and on the date of occurrence, the deceased attempted to put up a fence which was objected by the accused and immediately, the deceased attacked the accused with spade and spade handle causing injuries to the accused and as a self defence, they snatched the weapons from the deceased and attacked them. The learned counsel further submitted that the second accused in this case has sustained 17 injuries and he was admitted in the hospital and the second petitioner herein viz., Kanagaraj also sustained injuries. He would further submit that the co-accused in this case has already been released on bail by this Court on 16.07.2015 in Crl.O.P.No.13440 of 2015.

4.The learned Government Advocate (Crl.side)opposed this application contending that this is a case of double murder and the deceased were acquitted recently in a case of murder and due to



previous enmity, the accused attacked the deceased. He further submitted that the investigation is not yet completed.

5. However considering the fact that, this Court is inclined to enlarge the petitioners on bail on the following conditions. Accordingly, the petitioners are directed to 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, Lalgudi and on further condition that the petitioner shall reside at Thoothukudi and report before the Sipcot Police Station daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-

11/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE
LALGUDI

2 THE CHIEF JUDICIAL MAGISTRATE TIRUCHY

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

4 THE INSPECTOR OF POLICE
SIRUGANUR POLICE STATION, TRICHY DISTRICT.

5 THE SUPERINTENDENT
CENTRAL PRISON TIRUCHY

6 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION, THOOTHUKUDI.

+1. CC to M/S N.ANANDAKUMAR Advocate SR.No.45427

DM 11 8 15 2P 8C

ORDER

IN

CRL OP(MD) No.15510 of 2015

Date :11/08/2015