



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

Thursday, the Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.16295 & 16296 of 2015

GUNA @ GUNASEKARAN

... PETITIONER / ACCUSED No.4
CRL OP(MD) No.16295 of 2015

1. V.JOSEPH RAJA
2. R.PAUL @ PAUL MANOHARAN
3.R.VEDHAMANICKAM @ S.R.MANI
4.P.RAJAMUTHUR
R.POOVAMMAL

... PETITIONERS / ACCUSED No.1 TO 3, 5 & 6
CRL OP(MD) No.16296 of 2015

Vs

THE STATE REP THE INS OF POLICE
SAYALKUDI POLICE STATION
RAMANATHAPURAM DISTRICT
CRIME NO 110 OF 2015

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S Mr.T.Thirumurugan Advocate for
T.LAJAPATHI ROY Advocate in both petitions

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)
in both petitions

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

COMMON ORDER : The Court Made the following order :-

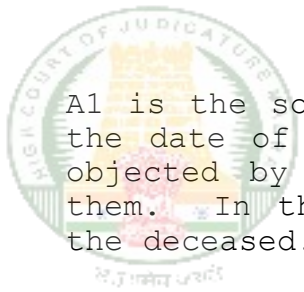
The petitioners, who are A1 to A6 in Crime No.110 of 2015 for the offences punishable under Sections 147, 148, 307 and 302 IPC on the file of the respondent Police, were arrested and remanded to judicial custody. They seek bail.

2.According to the prosecution, on 26.06.2015, due to civil dispute, the accused have attacked the brother's of the de facto complainant namely, Vedhamani and Asirvatham and done to death.

3.The learned counsel for the petitioners submitted that one of the deceased namely, Vedhamani filed a civil suit for declaration, declaring that he is the owner of the property in dispute against the Church and another deceased Asirvatham and the suit was dismissed.

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

4.It is further submitted that the 6th accused is the wife of the deceased Vedhamani, accused Nos.2 to 4 are the brothers of the 6th accused,



A1 is the son of A3 and the 5th accused is the owner of the Tractor. On the date of occurrence, the accused wanted to fence the land, which was objected by the deceased and subsequently, wordy quarrel arose between them. In the sudden provocation, the accused are said to have attacked the deceased.

5. The learned counsel for the petitioners further submitted that even according to the prosecution, the 6th accused, who is a lady, is said to have attacked only the de facto complainant and there is no other overtact attributed against A6.

6. The learned Government Advocate (Crl.side) appearing for the respondent submitted that this is a case of double murder and the occurrence had taken place only on 26.06.2015 and investigation is at initial stage. It is further submitted that both the deceased were unarmed. While so, the accused have attacked them with lethal weapons and caused death and therefore, they are not entitled for bail.

7. The learned counsel for the petitioners seeks permission to withdraw the bail petition for accused Nos.1 to 5. He has also made an endorsement to that effect. Hence, the petition against the accused Nos.1 to 5 is dismissed as withdrawn.

8. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

9. Considering the overt-act attributed against the 6th accused, this Court is inclined to grant bail to the 6th accused with certain conditions. Accordingly, A6 is 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, Mudukulathur, and on further condition that she shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
03/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE, SAYALKUDI POLICE STATION
RAMANATHAPURAM DISTRICT
 - 5 THE OFFICER INCHARGE, SUB JAIL, RAMANATHAPURAM.
 - 6 THE OFFICER INCHARGE, SUB JAIL, PARAMAKUDI.
- +2. CC to M/S T.LAJAPATHI ROY Advocate SR.No. 51481 & 51482.

TS/03.09.2015/2P - 9C

GSV-PM/SAR - II

ORDER
IN