



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

Friday, the Eighteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mrs.Justice S.VIMALA

CRL OP(MD) No.18061 of 2015

1 SHANMUGAM @ SHANMUGASUNDARAM
2 CHINNAIAN
3 SURESH @ GUNASEKARAN

... PETITIONERS/ ACCUSED No.3 to 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION, TUTICORIN
DISTRICT. CR. NO. 227/2014.
(INVESTIGATION BY INSPECTOR OF
POLICE, DISTRICT CRIME BRANCH
TUTICORIN DISTRICT)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.VEERAKATHIRAVAN for
M/S V.SASIKUMAR Advocate
For Respondent : MRS.S.PRABHA Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

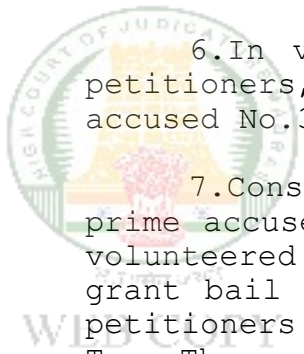
The petitioners herein are the accused in Crime No.227 of 2014 on the file of the respondent police and got arrested on 12.08.2015 for the alleged offences punishable under Sections 341, 147, 148, 362 and 397 of I.P.C. altered into Sections 341, 362, 397, 120(b) and 414 of IPC and hence, seek bail.

2.It is the submission of the learned counsel for the petitioner that the petitioners are law abiding citizens and to show their obedience to law, they have surrendered before the Court. This fact is not in dispute. The bail sought for is in respect of the alleged occurrence i.e. said to have taken place about nearly one year before this petition i.e. on 22.09.2014.

3.According to the case of the prosecution, these accused persons have been arrayed so, based upon the confession statement alleged to have been given by the first accused.

4.It is pointed out by the learned counsel for the petitioners that even though these petitioners are in custody for one month, no steps were taken either to conduct an identification parade or to get them for custodial interrogation. It is further pointed out that the presence of these accused may not serve any purpose for the prosecution.

5.The learned counsel for the petitioners seeks permission of this Court to file this petition, in respect of accused No.3/first petitioner. He has also made an endorsement to that effect.



6. In view of the endorsement made by the learned counsel for the petitioners, this petition is dismissed as withdrawn in respect of accused No.3/first petitioner herein.

7. Considering the fact that already the co-accused, who is also the prime accused has been released on bail and that the petitioners 2 and 3 volunteered in surrendering before the Court, this Court is inclined to grant bail to the petitioners 2 and 3 subject to the condition that the petitioners 2 and 3 shall execute 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 No.I, Tuticorin and on further condition that the petitioners 2 and 3 shall appear before the respondent police daily at 10.30 a.m. until further orders.

sd/-
18/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.1
TUTICORIN

2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT

3 THE SUPERINTENDENT
CENTRAL PRISON,
PALAYAMKOTTAI

4 THE INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION, TUTICORIN DISTRICT.

5 THE ADDITIONAL PUBLICPROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1. CC to M/S V.SASIKUMAR Advocate SR.No.55244.

ORDER
IN
CRL OP(MD) No.18061 of 2015
Date :18/09/2015

AM/18.09.2015/SK-SKN/SAR-II/2P/7C