



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

Tuesday, the Twenty Seventh day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19301 of 2015

1 NILAKARAN
2 SENTHILVEL

... PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CR.NO. 58 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.R.BABU JAGANATH Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

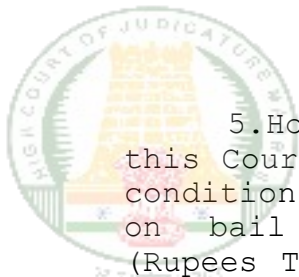
PETITION FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2, in Crime No.58 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 30.08.2015, for the alleged offences punishable under Sections 294(b), 341 and 302 of I.P.C., and hence, seek bail.

2.The case of the prosecution is that the deceased was constructing a house in his native place and the accused were neighbours objected taking water from the public tap and due to which, a wordy quarrel arose between them, the accused have attacked the deceased with aruval and caused his death.

3.The learned counsel for the petitioners submitted that the petitioners are brothers and there was a civil dispute between the parties, a criminal case was also registered against them. It is further submitted that even according to the prosecution, the accused attacked the deceased on sudden provocation and they have been in judicial custody for nearly 60 days.

4.The learned Government Advocate (Crl.side) would submit that the accused and the deceased are relatives and due to land dispute, the accused have attacked the deceased with aruval and caused his death. It is further contended that both the accused are having two previous cases each, apart from that they were acquitted in one



5. However, considering the facts and circumstances of the case, 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 District Munsif cum Judicial Magistrate, Kamudhi and on further condition that the petitioners shall reside at Salem and report before the Asthampatti Police Station daily twice a day at 10.00 a.m, and 05.00 p.m., until further orders.

sd/-

27/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KAMUDHI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM.

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

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

5 THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT.

6 THE INSPECTOR OF POLICE,
ASTHAMPATTI POLICE STATION, SALEM DISTRICT.

+1. CC to M/S.R.BABU JAGANATH Advocate SR.No.62474

akm/27.10.2015 /2p-8c/

ORDER

IN

CRL OP(MD) No.19301 of 2015

Date :27/10/2015