



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

Thursday, the Fifteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19712 of 2015

1 PALANISAMY
2 THAMARAISELVI
3 SUBRAMANIAN

... PETITIONERS / ACCUSED 1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION,
KARUR DISTRICT.
(CRIME NO. 382 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S P.T.RAMESH RAJA Advocate

For Respondent : M/S.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 accused Nos.1 to 3 in Crime No.382 of 2015 for the offence punishable under Sections 302 and 324 IPC on the file of the respondent Police, were arrested and remanded to judicial custody on 14.09.2015. They seek bail.

2.The case of the prosecution is that the accused and the deceased are neighbours and for obtaining electricity service connection from the Electricity Board to the accused, the deceased has to give no objection to the accused. It is the further case of the prosecution that earlier the deceased has consented to issue no objection after removing a shed, which was put up by the accused in the deceased land. Whiles, on 12.09.2015 at 8.00 pm the 1st accused has gone to the house of the de facto complainant and attacked the deceased with iron rod on his head and the accused Nos.2 and 3 throw chilli powder on the eye of the de facto complainant and also caused injury.

3.The learned counsel for the petitioners submitted that due to land dispute, a quarrel arose between the deceased and the 1st accused, which let to his death and there is no specific overt act attributed against the accused Nos.2 and 3. The learned counsel for the petitioners seeks permission to withdraw the bail petition in respect of the 1st petitioner. He has also made an endorsement to that effect.



5.The learned Government Advocate (Crl.side) appearing for the respondent submitted that the 1st accused caused fatal injury on the deceased.

6.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners 2 and 3 with certain conditions. Accordingly, the petitioners 2 and 3 are 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 No.I, Kulithalai, and on further condition that the petitioners 2 and 3 shall appear before the respondent police daily at 10.00 a.m., until further orders. In respect of the 1st petitioner is concerned, this Criminal Original petition is dismissed as withdrawn.

sd/-
15/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KULITHALAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
KARUR.
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION,
KARUR DISTRICT.
- 5 THE SUPERINTENDENT CENTAL PRISON, TRICHY.
- 6 THE SUPERINTENDENT
CENTRAL PRISON FOR WOMEN, TRICHY.

+1. CC to M/S P.T.RAMESH RAJA Advocate SR.No.61324

ORDER
IN
CRL OP(MD) No.19712 of 2015
Date :15/10/2015

rg.15.10.2015/DP/SAR-I 2P/7C.