



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.20059 of 2015

1 SIVA SUBRAMANIAN
2 SUDALAI
3 MUTHUKUMAR
4 MARIRAJ
5 MANIVEL

..PETITIONERS 1 to 5/
ACCUSED 3, 4, 5, 9 & 15

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
(IN CRIME NO. 151/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S S.LINGARASU 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 accused, in Crime No.151 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 03.09.2015, for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 307, 302, 506(ii) and 295 of I.P.C., and Section 3 of TNPPDL Act, and hence, seek bail.

2.The case of the prosecution is that due to dispute over celebrating temple festival on 02.09.2015, the accused attacked one Muthuvel and caused his death.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and it is further submitted that there is no specific overt act attributed against them.

4.Per contra, the learned Government Advocate (Crl.side) would submit that the accused have attacked the deceased with deadly weapons and killed him on 03.09.2015. It is further contended that the first petitioner is having one previous case, the second petitioner is having three previous cases, the third petitioner is having two previous cases and the fourth and fifth petitioners are having one previous case.

5.However, considering the facts and circumstances of the case and also considering the period of incarceration of the petitioners, 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 Judicial Magistrate, Cheranmahadevi, Tirunelveli District and on further condition that the petitioners shall



reside at Trichy and report before Balakarai 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 (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

4 THE INSPECTOR OF POLICE, PAPPAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.

5 THE INSPECTOR OF POLICE, BALAKARI POLICE STATION, TRICHY DISTRICT.

6 THE OFFICER IN CHARGE, BORSTAL SCHOOL, NANGUNERI,
TIRUNELVELI DISTRICT.

7 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

+1. CC to M/S S.LINGARASU Advocate SR.No.62498

ORDER IN

CRL OP(MD) No.20059 of 2015

Date :27/10/2015

PBK/DP/SAR-I 27/10/2015 ::2P-9C::