



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

Wednesday, the Twenty Eighth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20397 of 2015

1 MUTHAIAH

2 ESAKKI @ MANDAI VELLAM ESAKKI

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

TIRUNELVELI TOWN POLICE STATION,

TIRUNELVELI DISTRICT.

CR. NO. 482 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.R.DURAIRAJ 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 :-

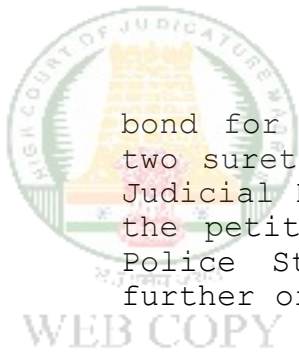
The petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.482 of 2015 on the file of the respondent police, was arrested on 03.09.2015 for the alleged offences punishable under Sections 341, 294(b), 302, 506(ii) of I.P.C., @ 341, 294(b), 302, 506(ii) and 109, 120(B) of I.P.C., and hence, seek bail.

2. According to the prosecution, due to civil dispute between the deceased and the first accused that on 01.09.2015, the first accused attacked the deceased with aruval and caused his death, while the second accused was riding a two wheeler taking the first accused to the scene of occurrence.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that they have been incarceration from 03.09.2015 and the major part of the investigation is over.

4. The learned Government Advocate (Crl.side) submitted that due to civil dispute between the parties, the accused eliminated the deceased on 01.09.2015 and the co-accused viz., A3 and A4 were granted bail by the Sessions Court, Tirunelveli in Cr.M.P.No.5942 of 2015.

5. Considering the period of incarceration and the overt act against 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 their executing a



bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Tirunelveli and on further condition that the petitioners shall reside at Salem and report before Astampatti Police Station twice a day at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
28/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

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

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYMKOTTAI.

5 THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION, TIRUNELVELI
DISTRICT.

6 THE INSPECTOR OF POLICE,
ASTAMPATTI POLICE STATION, SALEM.

+1. CC to M/S.M.S.JEYAKARTHIK, Advocate SR.No.63544

akm/29.10.2015 /2p-8c/

ORDER
IN
CRL OP(MD) No.20397 of 2015
Date :28/10/2015