



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

Monday, the Twenty Third day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) Nos.21115 and 20754 of 2015

1 ANANDH

2 VELLAISAMY

... PETITIONERS / ACCUSED 2 & 3 in  
CRL OP(MD) Nos.21115 of 2015

VENKATESH

... PETITIONER / ACCUSED 4 in  
CRL OP(MD) Nos.20754 of 2015

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
THIRUKOKARNAM POLICE STATION,  
PUDUKOTTAI DISTRICT.  
CRIME NO. 284 OF 2015

... RESPONDENT / COMPLAINANT IN  
BOTH PETITIONS

For Petitioner : M/S M.RAMU, Advocate IN CRL OP(MD) Nos.21115 of 2015  
For Petitioner : M/S.G.MATHAVAN, Advocate IN CRL OP(MD) Nos.20754 of 2015  
For Respondent : MR.K.ANBARASAN, Govt. Advocate ( Crl. Side) IN  
BOTH PETITIONS.

PETITION FOR BAIL UNDER SEC. 439 CR.P.C. IN  
CRL.O.P.(MD)NO. 21115 OF 2015

PETITION FOR ANTICIPATORY BAIL UNDER SEC. 438 CR.P.C. IN  
CRL.O.P.(MD)NO.20754 OF 2015

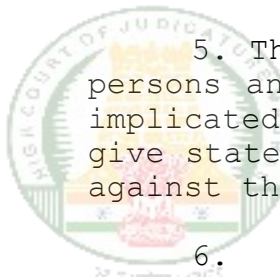
ORDER : The Court Made the following order :-

The petitioners in Crl.O.P(MD)No.21115 of 2015, who are arrayed as accused Nos.2 and 3 in Crime No.284 of 2015 on the file of the respondent police, were arrested on 05.10.2015 for the alleged offences punishable under Sections 294(b), 323 and 302 of the Indian Penal Code and hence, seeks bail.

2. The petitioner in Crl.O.P(MD)No.20754 of 2015, who is arrayed as accused No.4, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 302 of the Indian Penal Code in Crime No.284 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

3. The petitioners in Crl.O.P(MD)No.21115 of 2015 were arrested on 05.10.2015 and they were in judicial custody for more than 45 days and charge-sheet has already been filed.

4. The case of the prosecution is that these petitioners and others had quarrelled with one Kannan, the Manager of a private company situated at SIPCOT. When the deceased tried to pacify the said quarrel between the petitioner and Kannan, the Manager of a private company situated at SIPCOT, they attacked the deceased.



5. The case of the petitioner is that these petitioners are innocent persons and they did not attack the deceased and they have been falsely implicated in this case. When the deceased was in hospital, he refused to give statement and requested the respondent Police not to take any action against the petitioners.

6. Taking note of these facts and the fact that the petitioners/Accused Nos.2 and 3 in Crl.O.P(MD)No.21115 of 2015 is in judicial custody from 05.10.2015, 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 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, Pudukottai and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

7. As far as the petitioner in Crl.O.P(MD)No.20754 of 2015 is concerned, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.4, with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Pudukkottai and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner/accused No.4 shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

9. The petitioner in Crl.O.P(MD)No.20754 of 2015 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
23/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PUDUKOTTAI
- 2 DO THRO THE CHEIF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- 4 THE INSPECTOR OF POLICE, THIRUKOKARNAM POLICE STATION, PUDUKOTTAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT  
MADURAI

+1. CC to M/S M.RAMU Advocate SR.No.66835.

+1CC to Mr.G.Mathivanan, Advocate, SR.No. 66978

ORDER

IN

CRL OP(MD) Nos.21115 and  
20754 of 2015

Date :23/11/2015