



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

Tuesday, the First day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22121 of 2015

1 RAJENDRAN

2 SELVARAJ

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, SIPCOT,
THOOTHUKUDI DISTRICT
CR.No.349 of 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.JOHNSATHYAN Advocate

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

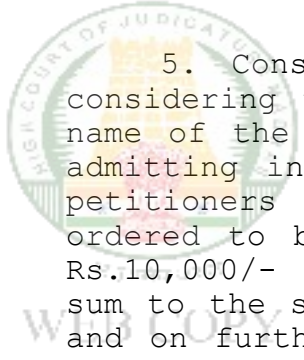
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos. 1 and 2, in Crime No.349 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 29.09.2015 for the alleged offences punishable under Sections 341,294(b),307 and 506(ii) of IPC @ Sections 341, 294(b) and 302 of IPC and hence, seeks bail.

2. The case of the prosecution is that on 27.09.2015, the petitioners and one another person restrained the deceased and abused him in filthy language and attacked him and caused death.

3. The learned counsel for the petitioners submitted that the deceased was a Real Estate agent and therefore, he was having lot of enemies in and around Thoothukudi District. He further submitted that due to civil dispute between the petitioners and the de facto complainant, the petitioners have been falsely implicated in this case. He further contended that the name of the petitioners were not found in Accident Register, when the deceased was admitted in the hospital. Since the petitioners are in judicial custody from 27.09.2015, the learned counsel pray for granting of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the petitioners have similar case against them and that if the petitioners are enlarged on bail, they will tamper the evidence and hamper the investigation and hence, he strongly objected to grant bail to the petitioners.



5. Considering the facts and circumstances of the case and also considering the fact that the civil proceedings are pending and that the name of the petitioners were not found in Accident Register at the time admitting in the hospital, 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Thoothukudi and on further condition that the petitioners shall stay at Madurai and report before Perungudi Police Station, Madurai daily at 10.00 am until further orders.

sd/-
01/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, THOOTHUKUDI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, SIPCOT, THOOTHUKUDI DISTRICT
 - 5 THE OFFICER INCHARGE, PERUNGUDI POLICE STATION, MADURAI.
 - 6 THE OFFICER INCHARGE, DISTRICT JAIL, SRIVAIKUNDAM.
- +1. CC to M/S R.JOHNSATHYAN Advocate SR.No.68424.

TS/01.12.2015/2P-8C/ DP-JGB/SAR - I

ORDER
IN
CRL OP(MD) No.22121 of 2015
Date :01/12/2015