



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

Thursday, the Seventeenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23317 of 2015

1 MANIKANDAN
2 J. JEBINRAJ

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 238 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.PALANI VELAYUTHAM Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

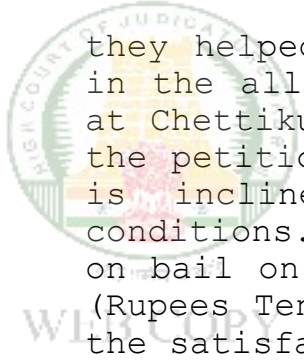
The petitioners, who are arrayed as accused, in Crime No.238 of 2015 on the file of the respondent police, was arrested on 10.10.2015 for the alleged offences punishable under Sections 147, 148, 149, 342, 294(b), 506(ii) and 302 of I.P.C., and hence, seek bail.

2. The case of the prosecution is that the deceased is the 23rd Ward Councillor. On 20.07.2015 at 07.00 p.m., due to political enmity six unknown persons wearing Helmet, came in three motor cycles with deadly weapon and caused grievous cut injuries with aruval on the head of the deceased and subsequently, he fell down and on the way to hospital, he died.

3.The case of the petitioners is that the petitioners are innocent and they have been falsely implicated in this case based on the confession statement. According to the prosecution, they only assisted the other accused to ply away from one place to another.

4. The learned Government Advocate (Cr1.side) submitted that the co-accused/A1 to A5, A7 and A10 were arrested and released on bail and A6, A8 and A9 are still absconding and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the charges levelled against the petitioners is that



they helped and assisted the co-accused and they have participated in the alleged conspiracy held on 19.07.2015 in Ganga Palace Lodge at Chettikulam and the co-accused were already released on bail and the petitioners are in judicial custody from 10.10.2015, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on 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 No.I, Nagercoil, Kanyakumari District and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
17/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO THRO'THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 THE OFFICER INCHARGE
DISTRICT JAIL, NAGERCOIL.

+1. CC to M/S S.PALANI VELAYUTHAM Advocate SR.No.72435

ORDER
IN
CRL OP(MD) No.23317 of 2015
Date :17/12/2015

RG.ngm-ss/SAR-I 17.12.2015 2P:7C