



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

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3030 of 2015

1 AROCKIA JEYASUNDAR
2 ALPHONSE
3 JOHN PETER

... PETITIONERS / ACCUSED A1,A2 AND A3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
AMBATHURAI STATION,
DINDIGUL DT,
CRIME NO.10/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 13.01.2015, for the offence punishable under Sections 304(2) r/w 3(2) (v) of SC/ST [POA] Amended Ordinance 2014, in Crime No.10 of 2015, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the deceased and these petitioners were consuming liquor and a quarrel ensued. It is alleged that the deceased tried to escape from the petitioners and they started chasing him. When the deceased was fleeing, he fell into an open Well and sustained injuries, resulting in his death. These petitioners were arrested on 13.01.2015.

3. Taking into consideration of over all circumstances of the case, this Court is inclined to grant bail to the petitioners. 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, No.III, Dindigul and on further condition that:

[a] the petitioners shall report before the respondent police, daily at 06.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

<https://hcservices.ecourts.gov.in/hcservices/>

[c] the petitioners shall not abscond either during investigation or trial.



[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-
23/02/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.III,DINDIGUL.
 - 2.DO THRO THE CHEIF JUDICIAL MAGISTRATE, DINDIGUL.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE
AMBATHURAI STATION, DINDIGUL DISTRICT.
 - 5.THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.
- +1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.8076

ORDER
IN
CRL OP(MD) No.3030 of 2015
Date :23/02/2015

RG.23.02.2015 2P.7C.