



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

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3814 of 2015

WEB COPY

1 VANUMAMALAI
2 ESAKKIPANDI @ KATTURAJA ... PETITIONERS/ACCUSED NO.13 & 14

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE
MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DT,
CRIME NO.157/2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.ANGAPPAN Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

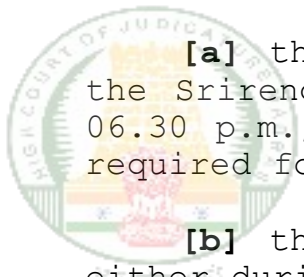
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 04.12.2014, for the offence punishable under Sections 147, 148, 341, 302, r/w 201, 120(b) @ 147, 148, 149, 341, 302, 201, 120(b) and 212 of the Indian Penal Code, in Crime No.157 of 2014, on the file of the respondent police, seek bail.

2. The learned counsel for the petitioners submitted that the petitioners herein were arrested on 04.12.2014, whereas Mr.I.Pravin Kumar, Inspector of Police, Nanguneri Circle at Nanguneri Taluk, Tirunelveli District, has filed a status report, in which he has stated that these petitioners/Accused Nos.13 and 14 were arrested on 17.11.2014.

3. This Court called for details from the Court concerned and learnt that these petitioners were arrested, on 04.12.2014, as asserted by the learned counsel for the petitioners. Strangely, the respondent police have filed a status report to the effect that these petitioners were remanded on 17.11.2014.

4. Be that as it may, whether the petitioners were remanded on 17.11.2014 or on 04.12.2014, till date, final report has not been filed and therefore, the petitioners will be entitled to be released on compulsory bail and 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, Nanguneri and on further condition that:



[a] the petitioners shall stay at Srirengam and report before the Srirengam Police Station twice a day daily at 10.30 a.m., and 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.

[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.

Registry is directed to mark a copy of this order to the Superintendent of Police, Tirunelveli District, who shall look into the aforesaid discrepancies between the version of the police and the factual position and take appropriate departmental action against the Police Officer concerned, if it is found that he has not properly placed the facts before this Court.

sd/-

24/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NANGUNERI
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT
- 4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI
- 5 THE INSPECTOR OF POLICE, SRIRENGAM POLICE STATION, SRIRENGAM
- 6 THE SUPERINTENDENT OF POLICE TIRUNELVELI DISTRICT
- 7 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH
COURT, MADURAI.

+1. CC to M/S.S.ANGAPPAN Advocate SR.No.14337

ORDER

IN

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Date :24/03/2015

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