



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

Monday, the Thirteenth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.5449 of 2015

1 J. SURESH
2 R. JEYARAJ
3 J. ANJALAI

... PETITIONER(S) / ACCUSED 1 to 3

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
SOMARASAMPETTAI POLICE STATION, TRICHY DT,
CRIME NO.106/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.SIVABALAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are A1 to A3 and they were arrested and remanded to judicial custody on 04.03.2015 for the alleged offence punishable under section 174 Cr.P.C r/w 306 of IPC, in Crime No.106 of 2015 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the de-facto complainant has lodged a complaint against the accused before the respondent and when the victim and the de-facto complainant were attending enquiry, the petitioners have abused the victim in filthy language and due to which, she set her ablaze.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners 2 and 3 are parents of A1 and in respect of the first petitioner/A1, the learned counsel seeks permission of this court to withdraw this petition and prays for bail in respect of the petitioners 2 and 3 alone.

4.The learned Government Advocate (Criminal side) submitted that the de-facto complainant had lodged a complaint against A1 and when they were attending for enquiry, all the accused have scolded the victim.

5.Considering the facts and circumstances of the case and also considering the period of incarceration by the petitioners 2 and 3, this Court is inclined to grant bail to the petitioners 2 and 3 with certain



conditions. In respect of the first petitioner, in view of the endorsement made by the learned counsel for the petitioners, this petition is dismissed as withdrawn against him.

6. Accordingly, the petitioners 2 and 3 are ordered to be released on bail, on each of them executing a personal 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.V, Trichy and on further condition that the petitioners 2 and 3 shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
13/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.V, TRICHY.
- 2 Do Through THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
SOMARASAMPETTAI POLICE STATION, TRICHY DISTRICT.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S.K.SIVABALAN Advocate SR.No. 18517.

TS/13.04.2015/2P-7C

ORDER
IN
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Date :13/04/2015