



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

Thursday, the Ninth day of April Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.6401 of 2015

1 CHANTHURU

2 KALA

... PETITIONERS / ACCUSED NOS.4 & 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.53/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.PALANIVELAYUTHAM, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are A4 and A5 and they were arrested and remanded to judicial custody on 19.02.2015 for the alleged offences punishable under sections 147, 148, 448, 294(B), 324, 506(ii) and 302 of IPC, in Crime No.53 of 2015 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the first accused and the deceased are neighbours and due to previous motive, the accused 1 to 3 have gone to the house of the deceased and attacked her with lethal weapons. The allegation against the petitioners is that they are conspirators for the commission of the offence.

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 incarceration for more than 50 days. It is further submitted that even according to the prosecution, the petitioners were not present in the scene of occurrence and there is no direct overtact against them.



4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners have conspired with the other accused persons for the commission of the offence and the major portion of the investigation is over.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are in jail since 19.02.2015, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners 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.1, Nagercoil and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
09/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI @ NAGERCOIL.
- 3 THE INSPECTOR OF POLICE, ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.PALANIVELAYUTHAM, Advocate SR.No.18164.

ORDER IN
CRL OP(MD) No.6401 of 2015
Date :09/04/2015

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