



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

Tuesday, the Twenty Eighth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.8235 of 2015

WEB COPY

1 KUMARESAN
2 KAPPAR RAJA
3 SAKTHIVEL
4 SHANMUGAM @ SHANMUGASIVA
5 BALAJI @ COOL ... PETITIONERS/ACCUSED NOS.1 TO 3, 4 & 5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DINDIGUL TOWN POLICE STATION,
DINDIGUL DISTRICT,
CRIME NO.176/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

For Respondent : MR.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, who are arrayed as accused Nos. 1 to 5 in Crime No.176 of 2015 on the file of the respondent police were arrested and remanded to judicial custody on 03.03.2015 (A1 to A3) and 05.03.2015 (A4 and A5) respectively for the alleged offences punishable under Sections 147,148,341,342 and 302 of IPC, seek bail.

2.The case of the prosecution is that the deceased Vignesh had fallen in love with one Seema and later he married her and after some time, due to matrimonial dispute, both were living apart. While the said Seema was residing along with her sister who is the wife of the first accused, the deceased used to come to the house of the first accused quarrelled with his wife. When this was objected by the accused, on 02.03.2015 the first accused had attacked with Aruval and the accused 2 and 3 caught hold of the deceased. A4 to A6 are present with the scene of occurrence, A7 is the conspirator for the occurrence.

3.The learned counsel for the petitioners submitted that the over tact attributed against A4 and A5 that they were present in the Scene of Occurrence and there is no material against them.

4. The learned Government Advocate (Crl.side) would submit that A1 to A3 already detained under Gundas Act and the petitioners 4 and



5 were present in the Scene of Occurrence and also instigated the other accused to commit the offence.

5. In view of the fact, this Criminal Original Petition is dismissed against the petitioners 1 to 3.

6. Considering the over tact attributed against the petitioners 4 and 5, this Court is inclined to grant bail to them with certain condition. Accordingly, the petitioners 4 and 5 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-III, Dindugal and on further condition that the petitioners 4 and 5 shall appear before the respondent Police daily at 10.00 a.m., until further orders.

sd/-
28/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.III, DINDUGAL
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE DINDIGUL DISTRICT
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 4 THE INSPECTOR OF POLICE DINDIGUL TOWN POLICE STATION,
DINDIGUL DISTRICT
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.J.ASSOCIATES Advocate SR.No.23182
ORDER
IN
CRL OP(MD) No.8235 of 2015
Date :28/04/2015

NA/29/04/2015/P2/7C