



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

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) Nos.8381 and 8384 of 2015

1 VELLAI
2 PITCHAI

... PETITIONERS/ACCUSED NOS.1&2 IN
CRL.OP (MD) NO.8381/2015

1.RAJARAM
2.SUBBU

... PETITIONERS/ACCUSED NOS.11&20
IN CRL.OP (MD) NO.8384/2015

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SINDHUPATTI POLICE STATION, USILAMPATTI,
MADURAI DISTRICT,
CRIME NO.40/2015

... RESPONDENT / COMPLAINANT IN
BOTH THE PETITIONS

For Petitioner : M/S.J.SELVAM Advocate in
both the Petitions

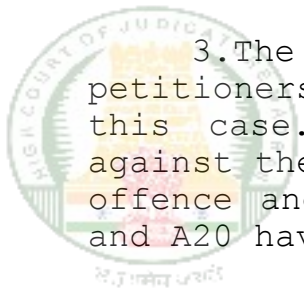
For Respondent : M/S.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side) in both the Petitions

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, 2, 11 and 20 in Crime No.40 of 2015 on the file of the respondent police were arrested and remanded to judicial custody on 17.03.2015 for the alleged offences punishable under Sections 147,148,323,324,506(ii) of IPC @ 120(b), 149, 302 r/w. Sec.4 of TNWH (Prevention) Act, seek bail.

2.The case of the prosecution is that there was a civil dispute between the de facto complainant and A1 and on the date of occurrence, i.e. on 13.03.2015, both the parties assembled for a compromise before the Panchayadars and at that time, a wordy quarrel arose between the parties, due to which A1 had attacked the deceased Pandiayarajan with crowbar and caused his death.



3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the over tact attributed against the A1 is that he instigated the other accused to commit the offence and the A2 attacked the deceased with crowbar and the A11 and A20 have attacked the witnesses.

4. The learned Government Advocate (Crl. Side) submitted that the first accused instigated the other accused and the deceased were attacked by A2 and the A11 and A20 have attacked the witnesses.

5. Considering the overt tact attributed against the second petitioner / A2 in Crl.O.P.(MD)No.8381 of 2015, the Crl.O.P.(MD) No.8381 of 2015 is dismissed against the second petitioner / A2.

6.Considering the over tact attributed against the petitioners / A11, A20 and A1, this Court is inclined to grant bail to them with certain conditions. Accordingly, the petitioners / A11, A20 and A1 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, Thirumangalam and on further condition that the petitioners shall appear before the respondent Police daily at 10.00 a.m., until further orders.

sd/-
29/04/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, THIRUMANGALAM
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
- 3.THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 5.THE INSPECTOR OF POLICE
SINDHUPATTI POLICE STATION, USILAMPATTI,
MADURAI DISTRICT
- +2. Ccs to M/S.J.SELVAM Advocate SR.Nos.23523 and 23524
RL/8C - 30/4/2015

ORDER
IN
CRL OP (MD) Nos.8381 and 8384
of 2015
Date :29/04/2015