



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

Wednesday, the Twentieth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.9302 of 2015

1 SENTHURPANDI
2 MUNIASAMY
3 MANIKANDAN
4 SUBBAIAH

... PETITIONERS/ACCUSED 1 TO 4

Vs

STATE REP BY THE INSPECTOR OF POLICE
UTHUMALAI POLICE STATION, TIRUNELVELI DIST.
CR.NO.84 OF 2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SARAVANAN Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

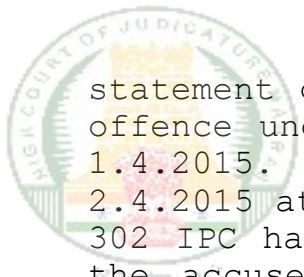
ORDER : The Court Made the following order :-

This is an application filed by the petitioners/A1 to A4 to grant bail. The second petitioner has been arrested and remanded to judicial custody on 4.4.2015 and other petitioners 1,3 and 4 surrendered on 6.4.2015 for the alleged offences punishable under Sections 147, 294(b), 323, 302 IPC in Crime No.84 of 2015 on the file of the respondent police and hence, the petitioners are seeking bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the State, and also perused the materials on record.

3.It is stated in the petition that the case has been registered against the petitioners for the alleged offences punishable under Sections 147, 294(b), 323, 302 IPC. Further it has been reported that the second petitioner has been arrested and remanded to judicial custody on 4.4.2015 and other petitioners 1, 3 and 4 have surrendered on 6.4.2015.

4. It is the case of the prosecution that due to previous motive with regard to chit transaction, the first accused Senthurpandi, and five other relatives of the first accused are said to have kicked the complainant in his stomach and on the basis of



statement given by Paulraj the case in Crime NO.84 of 2015 for the offence under Sections 147, 294(b), 323 IPC has been registered on 1.4.2015. Subsequently, the injured person has been expired on 2.4.2015 at about 19.50 p.m and therefore, the offence under Section 302 IPC has been included. Further, it stated in the petition that the accused NO.6 is the wife of the first accused and she is a physically disabled lady suffering 80% of disability on her leg. In order to establish the said averment, the learned counsel for the petitioners has also produced the disability certificate issued by the Director of Health Services, Tirunelveli District.

5. The learned counsel for the petitioners reported that the sixth and fifth accused have been released on bail in CrI.O.P.No.9079 of 2015 by order dated 13.05.2015 by this Court. It is stated in the petition that the petitioners are law abiding citizens and they are ready to abide by any conditions to be imposed against them and the petitioners are ready to offer substantial sureties for their release.

6.The learned Government Advocate(Crl.side), on instructions from the respondent police, reported that investigation is almost over and report of the chemical analysist is awaited to file a final report and stringent condition may be imposed.

7.On consideration of the above mentioned facts and circumstances and situation of the present case, it is found that the present case is a fit case for grant of bail with conditions. Accordingly, the petitioners are ordered to be released on bail on the following conditions:-

(i) The petitioners shall execute separate personal bond for a sum of Rs.10,000/- (Rupees ten thousand Only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi.

(ii) The petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

(iii) The petitioners shall surrender their passport, if any, before the trial Court.

(iv) The petitioners shall not leave Veeranam Village, V.K.Pudur Taluk, Tirunelveli District, without prior permission of the concerned Court.

(v) The petitioners shall not try to intimidate, threat, influence or allure the prosecution witnesses in any manner.

(vi) In case of any breach or violation of any of the above said conditions, the State would be at liberty to move the Court for cancellation of bail granted to the petitioners.



(vii) The petitioners shall make themselves available for interrogation by the police officer as and when required.

(viii) The petitioners should furnish their residential address to the investigation officer, forthwith, along with the True Copy of the ration card/Voter ID/Adhar Card.

sd/-
20/05/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE, UTHUMALAI POLICE STATION, TIRUNELVELI
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPRINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI

+1. CC to M/S.M.SARAVANAN Advocate SR.No.25743

ORDER
IN
CRL OP(MD) No.9302 of 2015
Date : 20/05/2015

AA/22.05.2015/3p - 7c/