



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

Friday, the Twenty Sixth day of June Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9714 of 2015

1 PONSEKAR
2 MADASAMY

... PETITIONERS/ACCUSED 2 - 5

Vs

STATE REP BY:: THE INSPECTOR OF POLICE
PUDUKKOTTAI POLICE STATION, CRIME NO.
129/2015, TUTICORIN DT

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.S.I.A.K.BAGADUR SHA Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

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

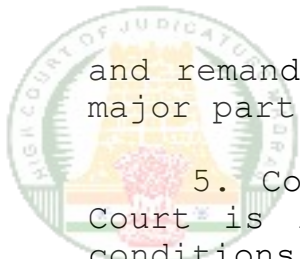
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 and 5 in Crime No.129 of 2015 on the file of the respondent police, the first petitioner/A2 surrendered on 07.05.2015 and the second petitioner/A5 arrested on 27.04.2015 respectively for the alleged offences punishable under Sections 147, 148, 341 and 302 of I.P.C., and hence, seek bail.

2. According to the prosecution, due to dispute arose celebrating a temple festival, the accused had lodged a criminal case against the deceased which was registered in Crime No.197 of 2012. Due to the enmity, on 25.04.2014, the accused attacked the deceased with lethal weapons and caused his death.

3. The learned counsel for the petitioners submitted that there was a dispute between the deceased and the first accused and civil and criminal cases are pending and the second accused is a father of the first accused and the fifth accused is the relative of A1 and they have been unnecessarily roped in this case. It is further submitted that there is no specific overt act attributed against the petitioners and they have been in judicial custody for more than 50 days.

<https://hcservices.ecourts.gov.in/hcservices/> 4. The learned Government Advocate (Crl.side) submitted that all the accused joined together and indiscriminately attacked the deceased with lethal weapons and all the accused have been arrested



and remanded to judicial custody. It is further submitted that the major part of the investigation is over.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tuticorin and on further condition that the petitioners shall appear before the Sipcot Police Station, Tuticorin daily twice at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
26/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE,
NO. I TUTICORIN

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
PUDUKKOTTAI POLICE STATION,

5 THE SUPERINTENDENT CENTRAL PRISON
PALAYAMKOTTAI

6 THE OFFICER IN CHARGE
BORSTAL SCHOOL NANGUNERI

7 THE INSPECOTR OF POLICE
SIPCOT POLICE STATION TUTICORIN

1. CC to M/S.S.I.A.K.BAGADUR SHA Advocate SR.No.34275

DM 24 JUNE 15 2p;9c

ORDER
IN
CRL OP(MD) No.9714 of 2015
Date :26/06/2015