

Crl.O.P.Nos.10807 & 10808 of 2016**V.BHARATHIDASAN, J.**

The petitioners/A1 & A3 were arrested and remanded to judicial custody on 14.03.2016 for the alleged offence punishable under Section 307 IPC and subsequently altered into Section 302 IPC in Crime No.71 of 2016 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the deceased mortgaged his property and borrowed money from the first accused and the accused were insisting the deceased to execute sale deed in their favour. With regard to this dispute that on 12.03.2016 at 3.30 a.m., A1 armed with knife and A2 and A3, who are son and brother of A1, with wooden log, attacked the deceased and caused his death.

3.Learned counsel appearing for the petitioners would submit that there is no direct eye witness involved in this case and hence the petitioners are innocent persons and they have been falsely implicated in this case.

4.Per contra, learned Additional Public Prosecutor appearing for the respondent would submit that in the earlier petition in Crl.O.P. No.7908 of 2016 filed by A1 to A3, in so far as A2 is concerned, this Court granted bail on 21.04.2016 and in respect of A1 and A3/petitioners herein, the said Crl.O.P. was dismissed as not pressed. It is further submitted that major part of the investigation is over.

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5.Considering the facts and circumstances of the case, 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 bond for Rs.10,000/- [Rupees Ten Thousand each only] with two sureties each for a like sum, to the satisfaction of the learned Judicial Magistrate, Thiruttani and on further condition that the petitioners shall reside at Villupuram and report before the Villupuram Town Police Station, daily at 10.00 a.m. until further orders.

11.05.2016

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