



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

Monday, the Eleventh day of January Two Thousand Sixteen

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PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD)Nos.24429 and 24430 of 2015

P.SELVAKUMAR

... PETITIONER/ ACCUSED NO.9
in CRL OP(MD)No.24429 of 2015

MADAN @ MICHAEL

... PETITIONER/ ACCUSED NO.3
in CRL OP(MD)No.24430 of 2015

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL.
IN CR.NO.1085 OF 2015

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner
in Both the Petitions : M/S K.APPADURAI Advocate

For Respondent
in Both the Petitions : MR.K.ANBARASAN,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused No.9, who was arrested and remanded to judicial custody on 15.10.2015 for the alleged offences punishable under Sections 147, 148, 341 and 302 of I.P.C altered into Sections 147, 148, 341, 302 and 506(ii) of I.P.C read with Sections 120(b), 148, 341, 506(ii) and 302 of I.P.C read with Section 149 I.P.C read with Section 109 I.P.C., in Crime No.1085 of 2015 on the file of the respondent police and hence, seeks bail.

2. The petitioner/accused No.3, who was arrested and remanded to judicial custody on 06.10.2015 for the alleged offences punishable under Sections 147, 148, 341 and 302 I.P.C altered into Sections 147, 148, 341, 302 and 506(ii) of I.P.C., read with Section 120(b) of I.P.C., in Crime No.1085 of 2015 on the file of the respondent police and hence, seeks bail.

3. The case of the prosecution is that on 21.09.2015 at about 11.30 a.m., when the deceased, after attending the Court proceedings in Dindigul District Court, was coming along with his parents, at that time, before the Press club Dindigul, the petitioners and other



accused persons attacked the deceased with knife and aruval and they prevented the defacto complainant and his wife from securing the deceased and pushed them down and murdered the deceased and thereby caused death.

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4. The case of the petitioner in CrI.O.P(MD)No.24429 of 2015 is that he is innocent and he is nothing to do with the alleged offence and his name is not mentioned in the F.I.R. At the time of alleged occurrence, the petitioner was in Central Prison, Madurai from 01.05.2015 and he has been falsely implicated as Accused No.9 on the forced confession of A.1. He was arrested by PT warrant and remanded to judicial custody on 15.10.2015.

5. The case of the petitioner in CrI.O.P(MD)No.24430 of 2015 is that he is innocent and he has not committed any offence and the overt act attributed against this petitioner is that he caused injuries to the deceased on the left ankle, left hand and left wrist, but he has not caused any injury on the vital part of the deceased and he is in judicial custody from 06.10.2015.

6. The learned Government Advocate (Criminal Side) submitted that the petitioner in CrI.O.P(MD)No.24429 of 2015 is detained under Act 14 of 1982 and he is having 6 previous cases and if he is enlarged on bail, he will continue the same offence. He would further submit that already charge-sheet has been filed and the investigation is completed.

7. The learned counsel for the petitioner in CrI.O.P(MD)No.24429 of 2015 submitted that the detention order passed against the petitioner was set aside by this Court in H.C.P(MD)No.1091 of 2015, by an order dated 01.12.2015 and he would further submit that the co-accused was enlarged on bail in CrI.O.P(MD)No.23522 of 2015.

8. Considering the fact that investigation is completed and detention order passed against the petitioner in CrI.O.P(MD)No.24429 of 2015 is set aside and the petitioners are in judicial custody from 15.10.2015 and 06.10.2015 respectively, I am inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners 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 No.2, Dindigul and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-

11/01/2016

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Sub-Assistant Registrar



1 THE JUDICIAL MAGISTRATE NO.2,
DINDIGUL.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

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

4 THE INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL.

5 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

6 THE OFFICER-IN-CHARGE,
SUB-JAIL, DINDIGUL.

+2CC to M/S K.APPADURAI Advocate SR.Nos.1731 and 1732

akm/11.01.2016/ 3p- 9c/AAL/MPA/SAR-I

ORDER

IN

CRL OP(MD)Nos.24429 and 24430 of 2015

Date :11/01/2016