



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

Friday, the Twenty Fourth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10228 of 2016

1 SEKAR
2 KARTHIKEYAN

... PETITIONERS/ACCUSED No.1 & 2

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO. 287 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S V.THIRUMAL Advocate

For Respondent : Mr.P.Kannithevan, Govt. Advocate (Crl. Side)

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

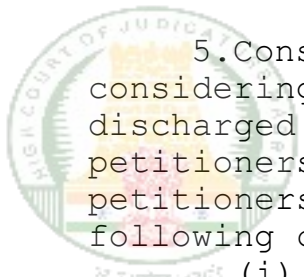
ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 and 2, who were arrested and remanded to judicial custody on 09.06.2016 for the alleged offences punishable under Sections 294(b), 323, 506(ii) of IPC r/w. Section 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Ordinance Act, 2014, in Crime No.287 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners attacked the defacto complainant and also abused him in filthy language. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 09.06.2016 and prays for enlarging the petitioners on bail.

4.The learned Government Advocate(Crl.side) submitted that the injured persons had already been discharged from the hospital and the investigation of the case is pending.



5. Considering the facts and circumstances of the case and also considering the fact that the injured persons had already been discharged from the hospital, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) Each of the petitioners shall execute 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, Manamadurai.
- (ii) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl side), as to whether the petitioners are complying with the condition or not.

sd/-
24/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, MANAMADURAI.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE SUB INSPECTOR OF POLICE, MANAMADURAI POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.THIRUMAL Advocate SR.No.33133

trp

JM/GSV-PM/SAR-III/27.06.2016/2P-7C

ORDER

IN

CRL OP(MD) No.10228 of 2016

Date :24/06/2016