



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

Wednesday, the Twenty Ninth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10550 of 2016

1 RAJKUMAR
2 PANNEERSELVAM
3 NAGALINGAM
4 CHINNAGOPAL
5 MUTHUKRISHNAN
6 VENGATESAN
7 AYYAPPAN
8 KANIVEL
9 NAGARAJ

... PETITIONERS/ACCUSED NO. 1 TO 9

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
REDDIYARCHATHRAM POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO. 121 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.JEGANATHAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

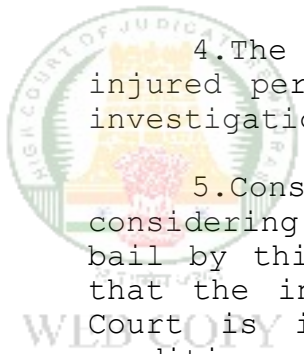
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused nos. 1 to 9 was arrested and remanded to judicial custody on 14.06.2016 for the alleged offences punishable under Sections 143,148,341,188,353,324 and 506(ii) of IPC r/w. Sections 3(1) and 5 of TNPPDL Act, in Crime No.121 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that during temple festival, at the time of procession on carrying the idol of the temple in the main road, dispute arose and the accused persons damaged the property belonged to the police officials and caused injury to the police persons. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that only on previous motive the name of the petitioners have been falsely implicated in this case. He further submitted that the co-accused were already enlarged on bail by this Court in Crl.O.P(MD).No.10151 of 2016 dated 24.06.2016.



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 co-accused have already been enlarged on bail by this Court in Crl.O.P(MD).No.10151 of 2016 dated 24.06.2016 and that the injured had already been discharged from the hospital, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners is ordered to be released on bail, subject to the following conditions:

- (i) each of the petitioner 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, Oddanchathiram.
- (ii)the petitioners shall appear before the respondent Police daily at 10.00 am and 5.00 pm 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, as to whether the petitioners is complying with the condition or not.

sd/-
29/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ODDANCHATHIRAM
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE, REDDIYARCHATHRAM POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S C.JEGANATHAN Advocate SR.No.33971.

ORDER
IN
CRL OP(MD) No.10550 of 2016
Date :29/06/2016