



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

Friday, the Twenty Ninth day of July Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.13261 of 2016

1 ALAGARSAMY
2 BHUVANESHWARAN
3 PONNUPANDI
4 RAJASEKAR

... PETITIONERS/ACCUSED 6 to 9

Vs

STATE REP BY THE SUB INSPECTOR OF POLICE,
MANAMADURAI SIPCOT POLICE STATION,
SIVAGANGAI DISTRICT. (CRIME NO.134 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK 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 :-

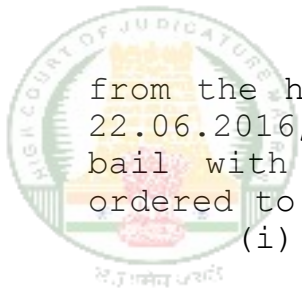
The petitioners are arrayed as Accused Nos.6 to 9, who were arrested and remanded to judicial custody on 22.06.2016 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 324 and 307 IPC, in Crime No.134 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused attacked the defacto complainant with deadly weapons and abused him in filthy language and threatened him with dire consequences. On complaint, 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. The petitioners are in judicial custody from 22.06.2016.

4.The learned Government Advocate (Crl. side) submitted that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact the injured person had already been discharged



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from the hospital and the petitioners are in judicial custody from 22.06.2016, 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 Additional District Munsif cum 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, as to whether the petitioners are complying with the conditions or not.

sd/-
29/07/2016

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

TO

- 1 THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MANAMADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
- 3 THE SUB INSPECTOR OF POLICE,
MANAMADURAI SIPCOT POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- +1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.40548

ORDER
IN
CRL OP(MD) No.13261 of 2016
Date : 29/07/2016