



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

Tuesday, the Twenty Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15209 of 2016

1 GANESAN
2 KAMALRAJ
3 KANAPATHI
4 SUDHAGAR

... PETITIONERS / ACCUSED No.1 to 4

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MATHAGUPATTI POLICE STATION, MATHAGUPATTI,
SIVAGANGAI DISTRICT.
CR. NO.143/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.SASIKUMAR Advocate

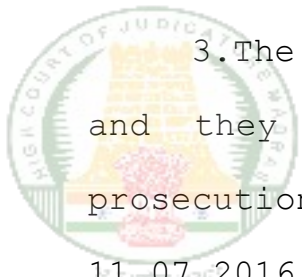
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 to 4, who were arrested and remanded to judicial custody on 11.07.2016 for the alleged offences punishable under Sections 294(b), 451, 323, 324 and 307 IPC, in Crime No.143 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 attacked the defacto complainant and abused him in filthy language. On complaint, case has been registered for the above said offences.



3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are in judicial custody from 11.07.2016.

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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 that the injured person had already been discharged from the hospital and the petitioners are in judicial custody from 11.07.2016, 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 Sessions Judge, Fast Track Mahila Court, Sivagangai.
- (ii) the petitioners shall report before the respondent police daily at 10.00 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 conditions or not.

sd/-
23/08/2016

/ TRUE COPY /

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

TO

- 1 THE SESSIONS JUDGE
FAST TRACK MAHILA COURT, SIVAGANGAI
- 2 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE INSPECTOR OF POLICE
MATHAGUPATTI POLICE STATION, MATHAGUPATTI,
SIVAGANGAI DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

+1. CC to M/S.R.SASIKUMAR Advocate SR.No.46400

jam/23.08.16/DB/SAR III /3P-6C

ORDER
IN
CRL OP(MD) No.15209 of 2016
Date :23/08/2016