



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

Friday, the Nineteenth day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.15226 of 2016

1 VELLAIYAMMAL
2 DINESHKUMAR
3 DINAKARAN

... PETITIONERS/ACCUSED 1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KARUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 20 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHIYA CHIDAMBARAM 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 3 were arrested and remanded to judicial custody on 07.06.2016 for the alleged offences punishable under Section 302 of IPC in Crime No.20 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the first petitioner is the wife of the deceased and the petitioners 2 and 3 are sons of the deceased. The deceased used to consuming alcohol and due to that, there was some dispute between deceased and family members. On 06.06.2016, the petitioners murdered the deceased. 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. The deceased is an addict of alcoholic and he was having lot of enemies in the village and he was murdered by his enemies. The petitioners name have been falsely implicated in this case. He further submitted that the petitioners are in judicial custody from 07.06.2016 and prays for enlarging the petitioners on bail.

4.The learned Government Advocate(Crl.side) submitted that due to quarrel between the petitioners and the deceased the petitioners murdered the deceased and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 07.06.2016, 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

<https://hcservices.ecourts.gov.in/hcservices/> 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, Aranthangi.

(ii) the petitioners shall appear before the respondent Police daily at 10.00 am 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 condition or not.

sd/-

19/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ARANTHANGI, PUDUKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KARUR POLICE STATION, PUDUKKOTTAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE SUPERINTENDENT, CENTRAL JAIL(WOMEN), TRICHY.

6 THE OFFICER IN CHARGE, BORSTAL SCHOOL, THANJAVUR.

+1. CC to M/S.S.SATHIYA CHIDAMBARAM Advocate SR.No.42927

ORDER

IN

CRL OP(MD) No.15226 of 2016

Date :19/08/2016

TRP

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