



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.15431 of 2016

1 DIVYALAKSHMI
2 HEMA MARY
3 MOTCHA MARY

..PETITIONERS/ACCUSED 2 to 4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL.
CR. NO.551/2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate

For Respondent : Mr.P.KANNITHEVAN, Government 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.2 to 4, who were arrested and remanded to judicial custody on 13.08.2016 for the alleged offences punishable under Sections 147, 452, 294(b), 323 and 506(ii) IPC, in Crime No.551 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 her 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 13.08.2016.

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 that the injured person had already been discharged from the hospital and the petitioners are in judicial custody from 13.08.2016, 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 Judicial Magistrate, Nellakottai, Dindigul District.
- (ii) the petitioners shall report before the respondent police as and when required for interrogation.
- (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.)

TO

1 THE JUDICIAL MAGISTRATE, NELLAKOTTAI, DINDIGUL DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, DINDIGUL TOWN SOUTH POLICE STATION, DINDIGUL.

5 THE OFFICER-IN-CHARGE, SUB JAIL, NILAKOTTAI, DINDIGUL DISTRICT.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No.46601

ORDER IN

CRL OP(MD) No.15431 of 2016

Date :23/08/2016