



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

Thursday, the Sixth day of October Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP (MD) No.19250 of 2016

WEB COPY

1 J.ANTONYRAJ

2 M.BALAKUMAR

... PETITIONERS/ACCUSED NOS.4 AND 5

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
SANKARANKOIL TALUK POLICE STATION,
TIRUNELVELI DISTRICT
IN CRIME NO.76 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.KA.RAAMAKRISHINAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, 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.4 and 5, who were arrested and remanded to judicial custody on 13.07.2016 for the alleged offences punishable under Sections 147, 148, 302 and 109 IPC, in Crime No.76 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that due to previous motive, the petitioners along with other accused surrounded the deceased and attacked him. 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 13.07.2016.

4.The learned Government Advocate(Crl.side) submitted that investigation is almost over and awaiting for chemical analysis report.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 13.07.2016, 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
<https://hcservices.ecourts.gov.in/hcservices/>
for a sum of **Rs.20,000/- (Rupees twenty thousand only)** with two sureties each for a



like sum to the satisfaction of the learned Judicial Magistrate, Sankarankovil.

(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 (Criminal side), as to whether the petitioners are complying with the conditions or not.

sd/-

06/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
SANKARANKOIL TALUK POLICE STATION, TIRUNELVELI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KA.RAAMAKRISHINAN Advocate SR.No.59416

ORDER

IN

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Date : 06/10/2016