



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

Thursday, the Twentieth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20094 of 2016

1 M.SUNDARAVALLI

2 M.MUNIYANDI

... PETITIONER/A1 & A2

Vs

STATE THROUGH

THE INSPECTOR OF POLICE

THIRUPPACHETHI POLICE STATION,

SIVAGANGAI DISTRICT

CRIME NO.273/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.JEYAKARTHIK 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, who were arrested and remanded to judicial custody on 29.09.2016 for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 IPC in Crime No.273 of 2016 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to civil dispute, the petitioners abused the defacto complainant and attacked him and also threatened him with dire consequences.

3.Learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them.

4.Learned Government Advocate (crl.side) submitted that injured has been discharged from the hospital and charge sheet is yet to be filed and co-accused were granted anticipatory bail by this Court in Crl.O.P(MD)No.19230 of 2016.

5.Taking note of the fact that the petitioners are in judicial custody from 29.09.2016 and that the injured has been discharged from the hospital and also taking note of the fact that co-accused were granted anticipatory bail, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be



released on bail subject to the following conditions:

(i) each of the petitioner 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, Manamadurai;

(ii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for investigation;

(iii) the petitioners shall not tamper with the 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 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 petitioner released on bail by the 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]**.

sd/-

20/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MANAMADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THIRUPPACHETHI POLICE STATION, SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.JEYAKARTHIK Advocate SR.No.62123

ORDER

IN

CRL OP(MD) No.20094 of 2016

Date :20/10/2016