



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

Friday, the Eleventh day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20528 of 2016

1 MANIKKAM @ MANIKANDA PERUMAL

2 KUMAR @ KRISHNAKUMAR

3 MAHESHKUMAR

4 ASAITHAMBI

... PETITIONERS/ACCUSED NO.1 TO 4

Vs

STATE REPRESENTED BY ,
THE INSPECTOR OF POLICE,
MAYANOR POLICE STATION,
KARUR DISTRICT

CRIME NO.266 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.GUNASUNDARI Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

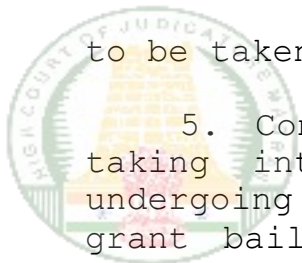
ORDER : The Court Made the following order :-

The petitioners/A1 to A4, who were arrested and remanded to judicial custody on 09.08.2016 for the offences punishable under Sections 147, 148, 448, 363, 506(ii) IPC r/w Section 3 of TNPPDL Act @ 147, 148, 342, 448, 363, 398, 364(A), 120(b) and 506(ii) IPC r/w Section 3 of TNPPDL Act in Crime No.266 of 2016 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused trespassed into the house of the defacto complainant to extort money and also abducted the servants of the defacto complainant for ransom, which resulted in registration of the case.

3. The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case and they had nothing to do with the alleged offences.

4. Heard the learned Government Advocate (Crl.Side) on the above submission, who would submit that a charge sheet has already been filed before the concerned jurisdictional Court, which is yet



to be taken on file.

5. Considering the facts and circumstances of the case and taking into account the fact that the petitioners have been undergoing incarceration since 09.08.2016, 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 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 No.II, Kulithalai;

(ii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. till the matter is taken up for trial by the Court below and once it is taken, the petitioners shall appear before the concerned jurisdictional Court on all hearing dates without fail;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner 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 petitioner 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/-
11/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MAYANOR POLICE STATION, KARUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- +1. CC to M/S.G.GUNASUNDARI Advocate SR.No.67984

ORDER
IN

CRL OP(MD) No.20528 of 2016
Date :11/11/2016