



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

Wednesday, the Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20814 of 2016

1 SASIKUMAR
2 AJIKUMAR
3 BIBIN
4 SATHEESH
5 SELVAN @ SANNY

..PETITIONERS/ACCUSED 1 to 5

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.519 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SHAJI BINO Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners / A1 to A5, who were arrested on 29.09.2016 for the offences punishable under Sections 147, 148, 341, 294(b), 302 IPC in Crime No.519 of 2016 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, on 21.09.2016 the petitioners along with other accused trespassed into the house of the deceased and attacked the de facto complainant's head by using iron rod and also wooden log and thereby committed the aforesaid offence.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 29.09.2016 onwards i.e., for more than 45 days.

4.The learned Government Advocate(Crl. Side) submitted that the 1st accused namely, Sasikumar has been detained under Act 14 of 1982. She opposed for granting bail to the other petitioners.



5. Considering the facts and circumstances of the case and also taking note of the serious offence said to have been committed by the petitioners, the contention of the learned counsel for the petitioners that they are in judicial custody for more than 45 days, cannot be accepted and this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original petition is dismissed.

sd/-
09/11/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 2 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE OFFICER-IN-CHARGE, DISTRICT JAIL, NAGERCOIL,
KANYAKUMARI DISTRICT.

ORDER IN
CRL OP (MD) No.20814 of 2016
Date : 09/11/2016

PBK/GSV-PM/SAR-III 08/12/2016 ::2P-4C: