



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

Monday, the Fifth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

WEB COPY

CRL OP(MD) No.22260, 22296, 22463, 22481 and 22491 of 2016

1 SEKAR	
2 KARTHIKEYAN	
3 MANO @ MANOJ	... PETITIONERS / ACCUSED NO.1 TO 3 IN CRL OP(MD)NO.22260/2016
R.VENDIVELMURUGAN @ MURUGAN	... PETITIONER / ACCUSED NO.4 IN CRL OP(MD)NO.22296/2016
SATHISHKUMAR	... PETITIONER / ACCUSED NO.3 IN CRL OP(MD)NO.22481/2016
THAMARAISELVAN	... PETITIONER / ACCUSED NO.4 IN CRL OP(MD)NO.22463/2016
RAJA	... PETITIONER / ACCUSED NO.5 IN CRL OP(MD)NO.22491/2016

Vs

STATE BY THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.881 OF 2016.
(IN CRL OP(MD)NO.22260, 22296/2016)
CRIME NO.880 OF 2016
(IN CRL OP(MD)NO.22481, 22463,
22491/2016) ... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

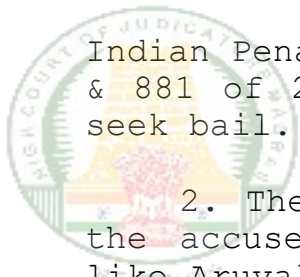
For Petitioner : M/S.V.KANNAN Advocate IN CRL OP(MD)NO.22481/2016
:MR.J.JEYAKUMARAN, Advocate IN CRL OP(MD)NO.22296/2016
:MR.R.BALAMURUGANANTHAM, Advocate
IN CRL OP(MD)NO.22481 AND 22463/2016
: MR.S.T.SASIDHARAN TAMIL KANI, Advocate
IN CRL OP(MD)NO.22491/2016

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)
IN ALL THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners/A3 to A5 and Petitioners/A1 to A4, who were
<https://hcservices.ecourts.gov.in/hcservices/> arrested and remanded to judicial custody on 15.11.2016, for the
offences punishable under Sections 147, 148, 294(b), 324 and 307 of



Indian Penal Code and under Section 3 of TNPPDL Act in Crime Nos.880 & 881 of 2016 respectively, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity, the accused attacked the defacto complainant with deadly weapons like Aruval, wooden log and trespassed into the house of the defacto complainant and damaged the house hold articles worth about Rs.5000/-.

3. The learned counsel for the petitioner would submit that it is a case of case in counter. He would further submit that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (crl.side) submitted that it is a case of case in counter. He would further submit that due to previous enmity, the accused attacked the defacto complainant with deadly weapons and also trespassed into the house of the defacto complainant and damaged the house hold articles worth about Rs.5000/-. He also submitted that the injured has been discharged from the hospital.

5. Considering the above facts and circumstances of the case, I am inclined to grant bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Sivagangai and on further condition that:

[a] the petitioners shall report before the learned Judicial Magistrate No.1, Sivagangai, daily at 10.30 a.m., until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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 petitioner 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]**.

sd/-
05/12/2016

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI

2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

5 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI.

6 THE SUPERINTENDENT CENTRAL PRISON, MADURAI.

+1. CC to M/S.V.KANNAN Advocate SR.No.79195

+1CC to Mr.J.Jeyakumaran, Advocate Sr.No.79161

+2CC to Mr.R.Balamuruganatham, Advocate Sr.No.79262, 79621

+1CC to Mr.S.T.Sasidharan Tamilkani, Advocate Sr.No.79160

GJM/GSV/PM/SAR-3-5.12.16-3p-12C

ORDER

IN

CRL OP(MD) No.22260, 22296,
22463, 22481 and 22491 of 2016

Date :05/12/2016