



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

Friday, the Second day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22920 of 2016

1 KANNAN,
2 RAMANATHAN,
3 ELANGO VAN,

... PETITIONERS / ACCUSED No.1,2 & 4

Vs

The State rep.by
THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.
CR.NO.871 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KARTHICK SUBRAMANIAN 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, A2 and A4, who were arrested on 13.11.2016 for the offences punishable under Sections 147, 148, 450, 294(b) and 307 IPC in Crime No.871 of 2016 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused attacked the de facto complainant with Aruval and also threatened him with dire consequences.

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 13.11.2016 onwards.

4.The learned Government Advocate (Crl. Side) submitted that injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also taking note of the fact that the injured person has been discharged from the hospital, 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) the petitioners shall execute 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 Judicial Magistrate No.I, Sivagangai;

(ii) the petitioners are directed to stay at Vellore and report before the Vellore Taluk Police Station daily at 10.30 a.m. for a period of one month and thereafter, daily at 10.30 am before the respondent Police until further orders;

(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 petitioners 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/-

02/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI
 - 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
 - 3 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI
 - 4 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 6 The officers Incharges,
The Vellore Taluk Police Station, Vellore
- +1. CC to M/S.KARTHICK SUBRAMANIAN Advocate SR.No.78762
- sm:GSV-PM:SAR 3:02/12/2016:2P/8C

ORDER

IN

CRL OP(MD) No.22920 of 2016

Date :02/12/2016