



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

Monday, the Twelfth day of December Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.SELVAM

CRL OP(MD) No.23201 of 2016

1 SELVA GANESH
2 SHUNMUGARAJ
3 GANESAN
4 G.SANTHANA KONAR
5 UMAR BHAI

...PETITIONERS/ACCUSED Nos.1 to 5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.267 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.ANGUSAMY Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

This Criminal Original Petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 praying to enlarge the petitioners on bail.

2.It is averred in the petition that the petitioners have been arrayed as accused 1 to 5 in Crime No.267 of 2016 on the file of Ambasamudram Police Station and the alleged occurrence has taken place on 24.07.2016. On various dates, the petitioners have been arrested and from the date of their arrest, they are in custody. The investigation against the petitioners is almost completed. Under the said circumstances, the present petition has been filed for getting the relief sought therein.

3.Considering the nature of the offences alleged to have been committed by all the petitioners, this Court has perused the entire Case Diary File relating to Crime No.267 of 2016 and ultimately found that almost all witnesses have been examined and the matter is pending for getting D.N.A. Report.



4.Considering the stage of investigation and considering the fact that there is no scope for tampering with the witnesses on the part of the petitioners and also considering the duration of duress, this Court is of the view to grant bail to the petitioners subject to the following conditions.

5.In fine, this petition is allowed and the petitioners will be released on bail on executing a bond to the tune of Rs.5,000/- (Rupees five thousand only) and two sureties each for the likesum to the satisfaction of the Judicial Magistrate, Ambasamudram. Further it is directed that all the petitioners should stay at Ambasamudram and daily twice i.e., at 10.00 a.m. and 05.00 p.m. report before the Judicial Magistrate, Ambasamudram without fail until further orders.

sd/-

12/12/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
AMBASAMUDRAM.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON,
PALAYAMKOTTAI.

4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE INSPECTOR OF POLICE
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI DISTRICT

+2. CC to M/S.V.ANGUSAMY Advocate SR.No.80574,80675.

ORDER

IN

CRL OP(MD) No.23201 of 2016

Date :12/12/2016

AM/GSV.PM/SAR-3/12.12.2016/2P/8C