



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

Tuesday, the Twentieth day of December Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.23423 of 2016

WEB COPY

1 SAMINATHAN

2 KUMARESAN

... PETITIONERS / ACCUSED NO.4 & 2

Vs

THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO.182/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAJAPRABU Advocate

For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

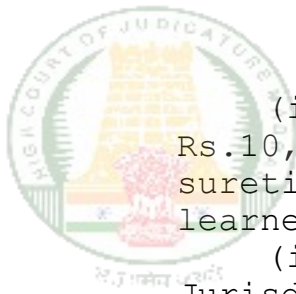
The petitioners / Accused, were arrested on 25.11.2016 for the offences punishable under Sections 294(b), 386, 395, 506(ii) of I.P.C. r/w. Section 25(a)(i) of Arms Act in Crime No.182 of 2016 on the file of the respondent police, seek bail.

2. The learned counsel for the petitioners states that the petitioners herein are A4 and A2 respectively and the co-accused A1 and A3 were arrested and released on bail by the Sessions Court, Tanjore.

3.The learned Government Advocate (Crl.side) submitted that totally there are 5 accused in this case and all the accused were arrested and A1 and A3 were released on bail and the petitioners herein are A4 and A2 respectively.

4. The case of the prosecution is that the petitioners along with the other accused went to the shop of the de-facto complainant and purchased some snacks and refused to pay for the same and due to that, a wordy quarrel arose between them and the petitioners along with the other accused threatened the de-facto complainant armed with aruval and A1 snatched a sum of Rs.250/- from the de-facto complainant and it is also admitted that no one sustained injury in the alleged occurrence and they are in custody from 25.11.2016 onwards.

5. Considering the above facts and circumstances, 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 learned Judicial Magistrate No.II, Tanjore;

(ii) the petitioners are directed to appear before the Jurisdictional Magistrate daily at 10.30 a.m. 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/-

20/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

1 THE JUDICIAL MAGISTRATE NO.II
TANJORE

2 -DO THROUGH-
THE CHIEF JUDICIAL MAGISTRATE, TANJORE.

3 THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT

4 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.

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

+1. CC to M/S.S.RAJAPRABU Advocate SR.No.82037

ORDER

IN

CRL OP(MD) No.23423 of 2016

Date :20/12/2016