



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

Friday, the Twenty Third day of December Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.23784 of 2016

1 KARUPPASAMY
2 MUNIYASAMY
3 VIJAYAN

..PETITIONERS/ACCUSED 4,5 & 9

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PERAIYOOR POLICE STATION,
RAMNAD DISTRICT.
CR.NO.93/2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : Mr.P.KANDASAMY, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

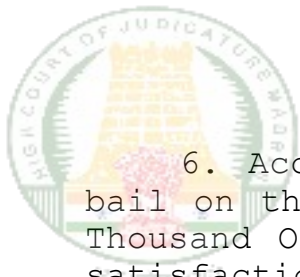
The petitioners, who were arrested and remanded to judicial custody on 04.11.2016, 04.11.2016 and 02.11.2016 respectively, for the offences punishable under Sections 147, 148, 294(b), 324 and 307 IPC., altered into Sections 147, 148, 294(b), 324, 307 and 302 of IPC., in Crime No.93 of 2016, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the the petitioners and others attacked the deceased with aruval and subsequently died in the hospital.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (crl.side) appearing for the respondent submitted that in this case investigation is over and charge sheet has also been filed before the jurisdictional Court and not taken on file. He would further submit that the earlier anticipatory bail application filed by the petitioners along with other accused was dismissed by this Court, as per order in Crl.O.P. (MD)No.23102 of 2016, dated 08.12.2016.

5. Considering the above facts and circumstances of the case, this Court is 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, Kamuthi and on further condition that:

[a] the petitioners shall report before the Concerned Court daily at 10.30 a.m., until further orders.

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

[c] the petitioners shall not abscond either during 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 petitioners 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/-

23/12/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, KAMUTHI, RAMNAD DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, RAMNAD.

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

4 THE INSPECTOR OF POLICE, PERAIYOOR POLICE STATION,
RAMNAD DISTRICT.

5 THE OFFICER-IN-CHARGE, DISTRICT PRISON, RAMANATHAPURAM.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.83290

ORDER IN
CRL OP(MD) No.23784 of 2016
Date :23/12/2016

PBK/GSV-PM/SAR-I 23/12/2016 ::2P-7C: