



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

Wednesday, the Fourth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.7420 of 2016

1 MANIKANDAN
2 KARTHICK
3 DESIKAN

... PETITIONERS/ACCUSED NOS.1,2&5

Vs

STATE REP BY
THE INSPECTOR OF POLICE
RAMESHWARAM POLICE STATION(JETTY)
RAMESHWARAM
RAMANATHAPURAM DISTRICT
(CRIME NO.44 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate
For Respondent : M/S.A.P.BALASUBRAMANI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1, 2 and 5, who were arrested and remanded to judicial custody on 21.04.2016, for the offences punishable under Sections 147, 148, 294(b), 307, 379 IPC read with Section 3 of TNPPDL Act, 1992, in Crime No.44 of 2016, on the file of the respondent Police, seek bail.

2. Heard Mr.A.Uthayakumar, learned counsel appearing for the petitioners / Accused Nos.1, 2 and 5 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the petitioners were arrested and remanded to judicial custody on 21.04.2016.

4. It is submitted by the learned Government Advocate (Criminal side) that there is no previous case as against the petitioners and no one has been injured in the alleged occurrence.

5. Taking into consideration the nature of allegations made against the petitioners and also the fact that there is no previous case as against the petitioners, this Court is of the view that this



is a fit case to grant bail to the petitioners/Accused Nos.1,2 and 5. Accordingly, they are ordered to be released on bail, subject to the following conditions:

- (i) each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rameshwaram, Ramnad District.
- (ii) they shall report before the respondent police daily at 06.30 p.m., until further orders.
- (iii) they shall not tamper with evidence or witness either during investigation or trial.
- (iv) they shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against them in accordance with law as if the conditions have been imposed and the petitioners/Accused Nos.1,2 and 5 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]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

sd/-

04/05/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, RAMESHWARAM, RAMNAD DISTRICT
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE OFFICER IN CHARGE, DISTRICT PRISON, RAMNAD
- 5.THE INSPECTOR OF POLICE, RAMESHWARAM POLICE STATION(JETTY)
RAMESHWARAM, RAMANATHAPURAM DISTRICT
- +1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.25866
RL/7C/2P/AAL/MPA/SARI/4/5/2016

ORDER

IN

CRL OP(MD) No.7420 of 2016

Date :04/05/2016