



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

Wednesday, the Twenty Second day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.9352 of 2016

1 SAMPATH
2 SATHISH
3 SURESH `

..PETITIONERS/ACCUSED 2 to 4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CR NO. 319 OF 2016.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S M.S.JEYAKARTHICK Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.2 to 4, who were arrested and remanded to judicial custody on 07.05.2016 for the alleged offences punishable under Sections 302 and 201 I.P.C., in Crime No.319 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that A.1 and deceased are brothers. Due to dispute between them, A.1 assaulted his brother and caused injuries and he died. Without informing to the police, A.1 and other accused cremated the body. On complaint given by the concerned Village Administrative Officer, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are close relatives of A.1 and they do not know about the occurrence and a false complaint has been given against the petitioners and the petitioners are in judicial custody from 07.05.2016.

4.The learned Government Advocate(Crl.side) submitted that A.1 and deceased, who are brothers, assaulted each other and due to that the deceased died. The allegation against the petitioners is that they along with A.1 cremated the body without informing to the police about the death of the deceased. Investigation was completed and charge sheet was filed and taken on file in P.R.C.No.62 of 2016.



5.Considering the facts and circumstances of the case and also considering the fact that the investigation has been completed and charge sheet has been filed and taken on file in P.R.C.No.62 of 2016 and the petitioners are in judicial custody from 07.05.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail on each of them executing 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 No.1, Sivagangai and on further condition that the petitioners shall appear the said Court for future hearings regularly.

sd/-

22/06/2016

/ 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 ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S M.S.JEYAKARTHICK Advocate SR.No.31928

ORDER IN

CRL OP(MD) No.9352 of 2016

Date :22/06/2016

PBK/GSV-PM/SAR-I 22/06/2016 ::2P-7C::