



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

Wednesday, the Fifteenth day of November Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15565 of 2017

1 RAMESH
2 NEPPOLIYAN

... PETITIONERS/ ACCUSED 2 AND 3
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
NACHIYARKOVIL POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.220 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.P.SAMUVEL GUNASINGH, Advocate
For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.2 and 3, who were arrested and remanded to judicial custody on 04.09.2017 by the respondent police for the offences punishable under Sections 341, 324, 302 and 506(ii) of I.P.C., in Crime No.220 of 2017, on the file of the respondent police, seek bail.

2.The case of the prosecution is that A1 attacked the defacto complainant which was questioned by the deceased persons and thereby, there was a wordy quarrel between them and subsequently, A1 called the deceased persons for compromise. When the deceased persons reached the scene of occurrence, A1 attacked them with aruval, due to which, the deceased persons sustained fatal injuries. On seeing the brutal attack, the defacto complainant lodged a complainant before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are merely standing in front of their house and they have been falsely implicated with ulterior motive and hence, they prayed for bail.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that on the basis of the confession statement given by A1 that the weapons were supplied by the petitioners who were implicated in this case as A2 and A3.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl. Side) that there is no specific overt act against the petitioners and only based on the confession statement given by A1, the petitioners were arrested and remanded to judicial custody, in view of the above, I am 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like-sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam;
- (ii) the petitioners shall report before the Thanjavur West Police Station, daily at 10.30 a.m., until further orders;
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not abscond either during investigation or trial;
- (v) the petitioners shall not commit any offence while on bail;
- (vi) 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 and the bail granted stands cancelled automatically.

sd/-
15/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT, CENTRAL JAIL, TRICHY.
4. THE INSPECTOR OF POLICE,
NACHIYARKOVIL POLICE STATION, THANJAVUR DISTRICT.
5. THE INSPECTOR OF POLICE,
THANJAVUR WEST POLICE STATION, THANJAVUR.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.NIRESHKUMAR Advocate SR.No.34456

ORDER IN
CRL OP(MD) No.15565 of 2017
Date :15/11/2017