



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

Thursday, the Fourteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16933 of 2017

1 SURENDER
2 BALAMURUGAN

... PETITIONER / A1 & A2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMNAD DISTRICT.
CR NO. 628/2017

... RESPONDENT / COMPLAINANT

For Petitioners : MR.JOSEPH JERRY for
M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : MR.M.MURUGAN, Government Advocate for
MR.K.ANBARASAN Govt. Advocate (Crl. Side)

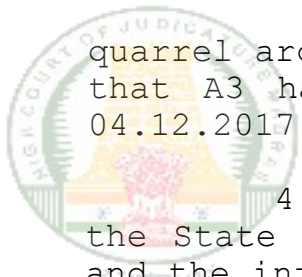
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners / A1 & A2, who were arrested and remanded to judicial custody on 18.11.2017, for the offences punishable under Sections 294(b) and 307 of IPC., in Crime No.628 of 2017, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the first petitioner, who is none other than the close relative of the de facto complainant, taking revenge with the family of the de facto complainant's husband, with regard to non-repayment of the advance amount, the petitioners said to have attacked the de facto complainant's husband and caused injuries on him. The injured person wife filed a case before the respondent Police. After investigation the respondent Police implicating the de facto complainant as one of the accused and accordingly, she is arrayed as A3.

3.The learned counsel appearing for the petitioner would submit that the petitioners did not commit any offence as alleged by the prosecution. There was a wordy quarrel in between the paternal uncle of the first petitioner since injured person was not returned the advance amount, which was collected in the year 2013 and the same was questioned by the first petitioner and there was a wordy



quarrel arose and attacked the injured person. He further submitted that A3 has already been granted bail by the Sessions Court on 04.12.2017. Accordingly, he prayed for bail in respect of A1 & A2.

4.The learned Additional Public Prosecutor appearing for the State submitted that A3 released on bail by the Sessions Court and the injured person has been discharged from the hospital.

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5.Considering the facts and circumstances of the case and also considering the submission made by the learned Additional Public Prosecutor, this Court is inclined to grant bail to the petitioners. The petitioners are ordered to be released on bail, subject to the following certain conditions.

6.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, Ramanathapuram;

- (i) the petitioners shall report before the respondent police, daily at 10.00 a.m., until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial;
- (iv) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (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/-

14/12/2017

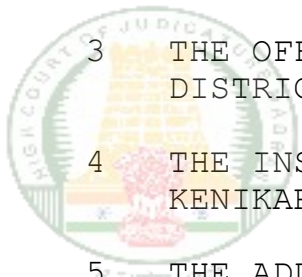
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3 THE OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

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

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+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.36216

ORDER

IN

CRL OP (MD) No.16933 of 2017

Date :14/12/2017

MS-CM-SAR 4/14.12.2017/3P-7C