



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

Wednesday, the Twenty Sixth day of April Two Thousand Seventeen
PRESENT

The Hon`ble Dr.Justice **G. JAYACHANDRAN**
CRL OP(MD) No.4708 AND 4769 of 2017

WEB COPY

KARTHICK

... PETITIONER / 2ND ACCUSED in
CRL OP(MD) No.4708 of 2017

PRASANTH

... PETITIONER / ACCUSED No.3 in
CRL OP(MD) No.4769 of 2017

Vs

STATE REP BY
THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
PARAMAKUDI,
(CRIME NO.204/2017)

... RESPONDENT/COMPLAINANT IN BOTH PETITIONS

For Petitioner : M/S.K.R.LAXMAN, Advocate IN BOTH PETITIONS

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl.Side)
IN BOTH PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners/A2 and A3, who were arrested on 29.03.2017 for the offences punishable under Sections 147, 148, 294(b), 324 and 307 of IPC., on the file of the respondent police in Crime No.204 of 2017, seek bail.

2.The learned counsel for the petitioners submitted that the petitioners, who are arrayed as A2 and A3, due to sudden provocation in the Bar, assaulted the defacto complainant with beer bottle over his head and there is no pre-meditation and since the victim was discharged from the hospital, the petitioners may be granted bail. He would further submit that the petitioners are in judicial custody from 29.03.2017.

3. The learned Government Advocate (Crl.Side) submitted that on 28.03.2017 there was quarrel between the petitioners and others near TASMACH Shop and in the said melee, the petitioners and others unlawfully assembled and attacked the victim over his head with beer bottle. After treatment, the victim is now been discharged from the hospital and he is in out of danger.

4.Considering facts and circumstances of the case and considering the nature of crime committed by the petitioners, this Court is 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.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Paramakudi;

(iii) the petitioner in Crl.O.P.(MD) No.4708 of 2017 namely, Karthick is directed to stay at Trichy and report before Trichy Town Police Station daily at 10.30 a.m. until further orders and the petitioner in Crl.O.P.(MD) No.4769 of 2017 namely, Prasanth is directed to stay at Madurai and report before Tallakulam Police Station daily at 10.30 a.m until further orders;

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 Magistrate/Trial Court.

sd/-
26/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION, PARAMAKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE,
TRICHY TOWN POLICE STATION, TRICHY.
- 6 THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, MADURAI.
- 7 THE OFFICER INCHARGE, DISTRICT PRISON, RAMANATHAPURAM.

+2. CC to M/S.K.R.LAXMAN Advocate SR.No.21169,21170

ORDER
IN
CRL OP(MD) No.4708 of 2017
Date :26/04/2017