



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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

**The Hon`ble Mr.Justice M.V.MURALIDARAN**

CRL OP(MD) No.6097 of 2017

1 MANI @ MANIKANDAN  
2 MURUGAN

... PETITIONERS/ACCUSED (RANK NOT KNOWN)

Vs

THE STATE, REP.BY  
THE INSPECTOR OF POLICE,  
AUTHOOR POLICE STATION,  
THOOTHUKUDI DISTRICT,  
CR.NO.84 OF 2016.

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.R.AMARNATH Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

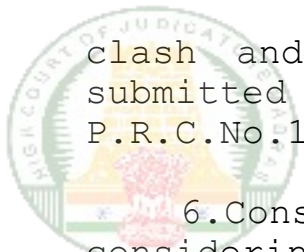
The petitioners / accused, who were arrested on 14.03.2016 for the offences punishable under Sections 147, 148, 302 IPC and Section 3 of Explosive Substances Act, 1908 @ 147, 148, 149, 120(b), 109, 302 and 201 IPC and Section 3 of Explosive Substances Act, 1908 in Crime No.84 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity all the accused persons murdered the deceased in order to take revenge of the murder of one Paul Pandian.

3.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent / Police.

4.The learned counsel for the petitioners would submit that the petitioners are no way connected with the crime and they are innocent persons and they have been falsely implicated in this case.

5.The learned Government Advocate(Crl. Side) submitted that the petitioners have committed serious offence and it is group



clash and all the co-accused were granted bail. He also submitted that charge sheet has already been filed in P.R.C.No.12 of 2016.

6.Considering the facts and circumstances of the case and considering the gravity of offence said to have been 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, Tiruchendur;

(ii)the petitioners are directed to appear before the concerned Court 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-  
17/05/2017

/ TRUE COPY /

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

NBJ  
TO

1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

<https://hcservices.reports.gov.in/hcservices/>  
3 THE INSPECTOR OF POLICE, AUTHOOR POLICE STATION,  
THOOTHUKUDI DISTRICT.



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

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI

+1. CC to M/S.R.AMARNATH Advocate SR.No.22278

GJM/PN/SR-3-18.5.17-3P-7C

ORDER

IN

CRL OP (MD) No.6097 of 2017

Date :17/05/2017