



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.6140 of 2017

1 SUBRAMANIAN
2 MURUGAN S/O. SEENIMANI, KAYATHAR.
3 MURUGAN S/O. AYYASAMY,
KAYATHAR. ... PETITIONERS / ACCUSED NO.5,6 & 7

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.140/2017 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU 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 :-

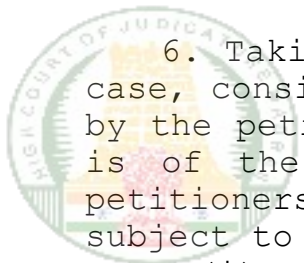
The petitioners, who were arrested and remanded to judicial custody on 18.04.2017, for the offences punishable under Sections 147, 452, 294(b), 323, 506(ii) I.P.C., and Section 3(1) of TNPP (D&L) Act, in Crime Nof.140 of 2017, on the file of the respondent Police, seeks bail.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the State.

3. The case of the prosecution is that on 18.04.2017, the petitioners abused the de facto complainant in filthy language, attacked him and damaged his vehicle.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution.

5. The learned Government Advocate appearing for the State strongly objected to grant bail to the petitioners.



6. Taking into consideration the facts and circumstances of this case, considering the gravity of offence said to have been committed by the petitioners and also the period of incarceration, this Court is of the view that this is a fit case to grant bail to the petitioners. Accordingly, they are ordered to be released on bail, subject to the following conditions:

- (i) each of the petitioners shall execute 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.II, Kovilpatti.
- (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) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned 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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 OFFICER IN CHARGE,
SUB JAIL, KOVILPATTI.
- 4 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION, THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.22279

ORDER

IN

CRL OP(MD) No.6140 of 2017

Date :17/05/2017