



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

Friday, the Twenty Sixth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP(MD) Nos.6390 and 6394 of 2017

MANIKANDAN

... PETITIONER / ACCUSED NO.2
IN CRL OP(MD) NO.6390 of 2017

MURUGESAN

... PETITIONER / ACCUSED NO.4
IN CRL OP(MD) NO.6394 of 2017

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.
IN (CRIME NO.309 OF 2017)

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.M.SIDDHARTHAN Advocate IN BOTH THE PETITIONS

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

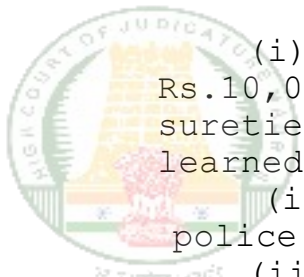
ORDER : The Court Made the following order :-

The petitioners/accused Nos.2 & 4, who were arrested and remanded to judicial custody on 22.03.2017 for the offence punishable under Sections 147, 148, 294(b), 427, 307, 302 and 120(B) of I.P.C. in Crime No.309 of 2017 on the file of the respondent police, seek bail.

2.The learned counsel for the petitioners would submit that the petitioners are in custody for more than 63 days and he further submitted that co-accused No.3 has already been arrested and enlarged on bail by the Vacation Sessions Judge, Madurai in Crl.M.P.No.356 of 2017, dated 24.05.2017 and they may be granted bail.

3. The learned Government Advocate (Criminal side) would submit that the petitioners are having one previous case and the investigation is pending.

4. Considering the facts and circumstances of the case, this Court grant bail to the petitioners 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 learned Judicial Magistrate, Melur;

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(iii) The petitioners shall not abscond either during investigation or trial;

(iv) Granting of bail to these petitioners cannot be a ground seeking bail on similar grounds for the other accused, on whom the overt act is attributed;

(v) 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 petitioner 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/-

26/05/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MADURAI DISTRICT.

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

+2. CC to M/S.M.SIDDHARTHAN Advocate SR.Nos.22862 & 22863

ORDER

IN

CRL OP(MD) Nos.6390 and 6394 of 2017

Date :26/05/2017

MKV-MSA-SAR 3/26.5.2017/2P-8C