



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

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.6448 of 2017

1 CHINNATHAMBI
2 SASIKUMAR

... PETITIONERS/ACCUSED NO.3 & 9

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
KARIMEDU POLICE STATION,
MADURAI CITY.
CRIME NO.139/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY 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 No.3 and 6, who were arrested and remanded to judicial custody on 03.03.2017 for the offence punishable under Section 147, 148, 294(b), 341, 302 and 506(ii) r/w.120(b) of I.P.C. in Crime No.139 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 84 days and no previous case pending against them and they may be granted bail.

3. The learned Government Advocate (Criminal side) would submit that there are totally 9 accused in this case, due to election motive, murdered one Balamurugan with deadly weapons and hence, the complaint has been lodged against the accused 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 No.V, Madurai;



(ii) the petitioners shall report before the respondent police daily at 10.30 a.m. and 5.00 p.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/-

24/05/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V,MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
KARIMEDU POLICE STATION, MADURAI CITY.

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

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.22615

AKV/RM

CSL/PN/SAR-III/24.05.2017 : 2P/7C

ORDER

IN

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Date :24/05/2017