



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

Tuesday, the Eleventh day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8503 of 2017

1 GEORGE @ GEORGE
2 SELVARANI @ RANI

... PETITIONERS / ACCUSED NO.7 & 8

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.195 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.C.CHRISTOPHER Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

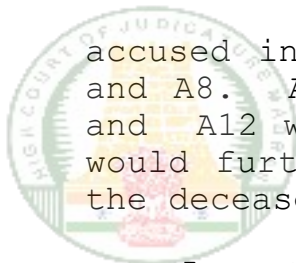
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused nos.7 & 8 were arrested and remanded to judicial custody on 02.06.2017 for the offences punishable under Sections 147,148,294(b),323,324,307, 302 and 506(ii) IPC in Crime No.195 of 2017 on the file of the respondent police, seek bail.

2. The case of the prosecution is that there was a Santhanamariamman temple festival at Nerungi Colony and there was a dispute between the de facto complainant and the accused in this case. The petitioners herein are said to have attacked the witness Mukesh Kannan and Esakuappan with stick. During the occurrence, one Raja died in the spot itself. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners states that on the date of occurrence A3, who is the son of petitioners herein has attacked the de facto complainant's group and then, the petitioners herein have interfered and due to which, there was a wordy quarrel arose between them. He would further state that the petitioners herein have not attacked even a single person in this occurrence.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that there are totally 12



accused in this case and the petitioners herein are arrayed as A7 and A8. A1 to A11 were arrested and they are in judicial custody and A12 was already granted bail by this Court on 10.07.2017. He would further submit that the petitioners herein have not attacked the deceased and the injured was discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the fact that co-accused was already released on bail by this Court and that the injured was discharged from the hospital and that the petitioners are in judicial custody from 02.06.2017, 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) Each 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, Valliyoor.

(ii) the petitioners shall appear before the respondent police once in a week i.e on every Saturday 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

11/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
 - 4 THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION, TIRUNELVELI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.CHRISTOPHER Advocate SR.No.26191

ORDER IN
CRL OP(MD) No.8503 of 2017
Date :11/07/2017