



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

Thursday, the Thirteenth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8834 of 2017

1 VIJAY

2 SELIN @ SELINRAJ

... PETITIONERS / ACCUSED NO.10 and 11

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PANANGUDI POLICE STATION, RADHAPURAM TALUK,
TIRUNELVELI DISTRICT.
CR.NO.195/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.R.ANBARASU 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 / A10 and A11, who were arrested on 31.05.2017 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 during Kodai festival, a dispute arose between two groups and that the petitioners along with other accused attacked the de facto complainant, injured persons namely, Raja and Mukesh Kannan. Thereafter, they were admitted in hospital for taking treatment. However, the said Raja died in the hospital on 01.06.2017.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners have not attacked the deceased in the said occurrence.

4.The learned Additional Public Prosecutor would submit on instruction that totally there are 12 named accused and the petitioners are arrayed as A10 and A11 respectively. He further submitted that A7, A8 and A12, who are similarly placed accused, were granted bail by this Court. He also submitted that injured were discharged from the hospital.

5.Considering the facts and circumstances of the case and considering the alleged overt act attributed against the petitioners herein and A7, A8 and A12 were enlarged on bail by this Court and also the period of incarceration of 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, Valliyoor, Tirunelveli District;

(ii) the petitioners are directed to appear before the respondent police 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/-

13/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR, TIRUNELVELI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 OFFICER IN CHARGE,
SUB JAIL, NANGUNERI.

4 THE INSPECTOR OF POLICE,
PANANGUDI POLICE STATION, RADHAPURAM TALUK,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.S.R.ANBARASU Advocate SR.No.26420

ORDER

IN

CRL OP(MD) No.8834 of 2017

Date :13/07/2017

MKV-PM-PN-SAR 3/13.7.2017/2P-7C

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