



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

Thursday, the Twelfth day of January Two Thousand Seventeen

PRESENT

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

CRL OP (MD) No.23793 & 12794 of 2016

MADASAMY ... PETITIONER / ACCUSED NO.2
IN CRL OP (MD) NO.23793/2016
PARTHASARATHI ... PETITIONER / ACCUSED NO.1
IN CRL OP (MD) NO.23794/2016
Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE,
VIKKARAMANGALAM POLICE STATION,
IN CRIME NO.163 OF 2016 ... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.P.VIJAYARAGHAVAN Advocate
IN CRL OP (MD) NO.23793/2016
MR.N.ANNADURAI, Advocate
IN CRL OP (MD) NO.23794/2016

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

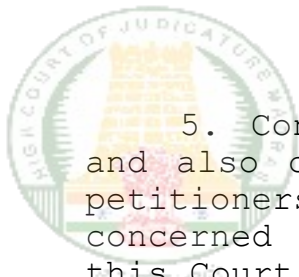
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.2 and 1, who were arrested and remanded to judicial custody on 06.11.2016 for the alleged offences punishable under Section 398 of I.P.C, in Crime No.163 of 2016 on the file of the respondent police and hence, seek bail.

2.The learned counsel for the petitioners states that the earlier bail application moved on behalf of A-1 and A-2 were dismissed by this Court on 05.12.2016. Both the petitioners were arrested in this case on 06.11.2016 and they are in custody.

4. The learned Government Advocate(Crl. Side) appearing for the respondent on instructions submitted that A-2 is having three previous cases under the Explosives Act, which were pending for trial and A-1 is having one case under Section 302 I.P.C, which is also pending for trial. It is also admitted that in the above case, A-2 was already granted bail by this Court under the Explosives Act as per Crl.O.P.(MD).Nos.18530 to 18532 of 2016 and A-1 was granted bail by the Sessions Court for the offence under Section 302 I.P.C.



5. Considering the above facts and circumstances of the case and also considering the period of incarceration undergone by the petitioners and the previous cases are pending trial in the concerned Court, in which, the petitioners were released on bail, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on each of them executing 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, Usilampatti and on further condition that the petitioners shall appear before the Judicial Magistrate, No.II, Usilampatti daily at 10.30 a.m., until further orders.

sd/-
12/01/2017

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

vs
TO

- 1 THE JUDICIAL MAGISTRATE NO.II, USILAMPATTI
- 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE,
VIKKARAMANGALAM POLICE STATION,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

+1. CC to M/S.P.VIJAYARAGHAVAN Advocate SR.No.2458
+1CC to Mr.N.Annadurai, Advocate Sr.No.2459

GJM/SKN/SAR-3-12.1.17-2p-8c

ORDER
IN
CRL OP (MD) No.23793
and 23794 of 2016
Date :12/01/2017