



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

Tuesday, the Third day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.4880 of 2018

1 SELVAM
2 DHARMALINGAM

... PETITIONERS / ACCUSED NO.2&3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KEELACHELVANOOR P.S.,
RAMANATHAPURAM DISTRICT.
CR.NO.6 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.J.ANANDKUMAR Advocate

For Respondent : MR.PRABU RAMACHANDRAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as Accused Nos.2 and 3. They were arrested and remanded to judicial custody on 19.03.2018. The case against them is for the offences punishable under Sections 147, 148, 364, 342, 294(b), 323, 324, 307 and 379 IPC, in Crime No.6 of 2018, on the file of the respondent police. They seek bail.

2.The case of the prosecution is that on 18.03.2018, the petitioners and other accused unlawfully assembled with deadly weapons, assaulted the de-facto complainant with an intention to kill him, caused injuries, threatened him with dire consequences and abused him in filthy language. On complaint, the case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioners.

4.It is submitted by the learned Government Advocate (Criminal side) that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been



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discharged from the hospital, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) Each of 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, Muthkulathur, Ramanathapuram District.
- (ii) The petitioners shall appear before the respondent police as and when required for interrogation.
- (iii) The petitioners shall not abscond.
- (iv) On breach of any of the aforesaid conditions, the learned 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 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/-
03/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER IN CHARGE, SUB JAIL, MUTHUKULATHUR.
- 4 THE INSPECTOR OF POLICE,
KEELACHELVANOR P.S., RAMNAD DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.ANANDKUMAR Advocate SR.No.5272

ORDER IN
CRL OP(MD) No.4880 of 2018
Date :03/04/2018