



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

Wednesday, the Fourth day of April Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.5116 of 2018

1 SARAVANAPANDI @ SARAVANAPANDIAN

2 ARAVINTH @ ARAVINTHRAJ

3 SIVAKUMAR @ DAISON

...PETITIONERS/A-2, A-5 & A-7

Vs

STATE THROUGH

THE SUB-INSPECTOR OF POLICE

THIRUCHENDUR POLICE STATION,

THOOTHUKUDI DISTRICT

(CR.NO.70/2018)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.A.K.MANICKAM Advocate

For Respondent : Mr.PRABU RAMACHANDRAN,
Government 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, 5 and 7. They were arrested and remanded to judicial custody on 11.03.2018. The case against them is for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) IPC and Section 4 of TNPHW Act, in Crime No.70 of 2018, on the file of the respondent police. They seek bail.

2.The case of the prosecution is that on 10.03.2018, at 9.00 p.m., the petitioners along with other accused attacked the de-facto complainant with iron rod and sticks. 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 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, Thiruchendur.
- (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/-

04/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR
 - 2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
 - 3 THE OFFICER IN CHARGE, DISTRICT JAIL, PERURANI, THOOTHUKUDI
 - 4 THE SUB INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION, THOOTHUKUDI DISTRICT
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.A.K.MANICKAM Advocate SR.No.5326

ORDER IN
CRL OP(MD) No.5116 of 2018
Date :04/04/2018