



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

Thursday, the Fifth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5274 of 2018

1 PRAGALATHAN @ PRABHU
2 THILLAIIVASAGAM

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
Y.OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.98 OF 2018.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.N.ILANGO 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 figuring as Accused Nos.1 and 2 in Crime No.98 of 2018 on the file of the respondent police. He surrendered before the learned Judicial Magistrate, Melur, on 19.02.2018 and remanded to judicial custody. The case against them is for the offences punishable under Sections 294(b), 324 and 302 IPC. They seek bail.

2.The case of the prosecution is that the petitioners herein had attacked the deceased viz., Dasarathan on his head on 17.02.2018. The said injured person passed away on 18.02.2018. Hence, the petitioners surrendered before the Judicial Magistrate Court, Melur, on 19.02.2018.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that there is no previous case registered against the petitioners.

5.Considering the nature of allegations levelled against the petitioners and also considering the fact that the petitioners are in judicial custody from 19.02.2018, this Court is inclined to enlarge them on bail with certain conditions. Accordingly, the



WEB COPY

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, Melur.
- (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/-
05/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
Y.OTHAKADAI POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.ILANGO Advocate SR.No.5459

ORDER
IN
CRL OP(MD) No.5274 of 2018
Date :05/04/2018