



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

Tuesday, the Tenth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5632 of 2018

1 MANIKANDAN
2 PANGALI @ PRASANTH
3 DEEPAN
4 JAYARAMAN

... PETITIONERS / ACCUSED NO. 3 TO 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
EAST POLICE STATION,
THANJAVUR DISTRICT.
(CR.NO.52/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.ARUN PRASAD Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

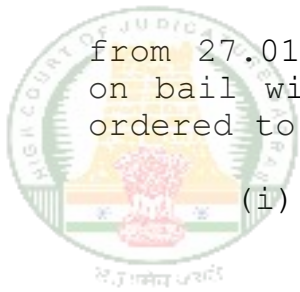
The petitioners are arrayed as Accused Nos.3 to 6. They were arrested and remanded to judicial custody on 27.01.2018. The case against them is for the offences punishable under Sections 147, 148, 120(b), 302 and 341 IPC, in Crime No.52 of 2018, on the file of the respondent police. They seek bail.

2.The case of the prosecution is that on 24.01.2018 at 4.00 p.m., the petitioners and the other accused waylaid the father of the de-facto complainant and assaulted him with Aruval, as a result, he died on the spot.

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 investigation is substantially over.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody



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from 27.01.2018, 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 No.I, Thanjavur.
- (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/-
10/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE
EAST POLICE STATION, THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.ARUN PRASAD Advocate SR.No.5761

ORDER
IN
CRL OP(MD) No.5632 of 2018
Date :10/04/2018