



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

Monday, the Sixteenth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5952 of 2018

1 PONRAJ
2 KANNAN

... PETITIONERS / ACCUSED NOS.4 & 5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KADAYAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO.11 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G.KARNAN Advocate

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

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

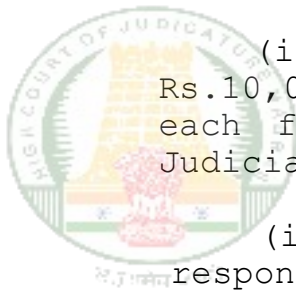
ORDER : The Court Made the following order :-

The petitioners are shown as Accused No.4 and 5. They were arrested and remanded to judicial custody on 17.03.2018 for the offences punishable under Sections 294(b), 307 and 506(ii) IPC altered into 294(b), 302, 506 (ii) IPC then altered into 120(b), 147, 148, 149, 294(b), 302, 506(ii) IPC r/w Section 34 of IPC., in Crime No.11 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that due to previous enmity, the petitioner herein joined hands with other accused and abused the defacto complainant and assaulted him with knife and caused injuries to him and caused his death and also threatened the witnesses with dire consequences.

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

4.Considering the facts and circumstances of the case, 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) 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, Ambasamudram.

(ii) the petitioners are directed to appear before the respondent police as and when required for interrogation.

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(iii) on breach of any of the aforesaid conditions, the 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 petitioner released on bail by the 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/-
16/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.G.KARNAN Advocate SR.No.6209

ORDER
IN
CRL OP(MD) No.5952 of 2018
Date :16/04/2018

MKV-CM-VR-SAR 4/16.4.2018/2P-7C