



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

Monday, the Twenty Third day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6577 of 2018

1 IYAPPAN
2 MANIKANDAN
3 RAJAN @ RAJA
4 RAJASINGH
5 MATHAN

... PETITIONERS / ACCUSED No.1 to 5

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
VADASERI POLICE STATION,
KANYAKUMARI DISTRICT.
IN CR NO. 138 OF 2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MANIMARAN Advocate

For Respondent : M/S. 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/A1 to A5, who were arrested and remanded to judicial custody on 02.04.2018 for the offences punishable under Sections 147, 148, 341, 294(b), 307 and 506(ii) IPC., and Section 3 (1) of TNPPDL Act, in Crime No.138 of 2018, on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, the petitioners assaulted the defacto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are falsely implicated in this case and they are in judicial custody from 02.04.2018. Hence, he prays for bail.

4.When the matter was taken up for hearing, the learned Government Advocate (Crl.side) appearing for the respondent Police submitted that apart from the present case, the petitioners 1 to 3 having 2 previous cases and the petitioners 4 and 5 having no previous cases.



5. Considering the above submission, this Criminal Original Petition is dismissed as against the petitioners 1 to 3 and this Court is inclined to enlarge the petitioners 4 and 5 on bail with certain conditions. Accordingly, the petitioners 4 and 5 are ordered to be released on bail, subject to the following conditions;

(i) the petitioners 4 and 5 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 Sessions Judge, Kanyakumari at Nagercoil.

(ii) the petitioners 4 and 5 are directed to appear before the respondent police as and when required for interrogation.

(iii) the petitioners 4 and 5 shall not abscond.

(iv) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners 4 and 5 in accordance with law as if the conditions have been imposed and the petitioners 4 and 5 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/-
23/04/2018

/ TRUE COPY /

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

TO

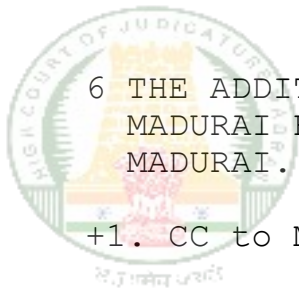
1 THE SESSIONS JUDGE,
KANYAKUMARI AT NAGERCOIL.

2 THE JUDICIAL MAGISTRATE NO.II,
NAGERCOIL.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
NAGERCOIL.

5 THE INSPECTOR OF POLICE
<https://hcservices.ecourts.gov.in/hcservices/>
VADASERI POLICE STATION,
KANYAKUMARI DISTRICT.



6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.MANIMARAN Advocate SR.No.6816.

WEB COPY

ORDER

IN

CRL OP (MD) No.6577 of 2018

Date :23/04/2018

SDS/CM:VR/GSR/23.04.2018/3P/8C