



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7521 of 2018

1 MUNIRAJ
2 GURURAJA

... PETITIONERS / ACCUSED NO.3 & 4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO.56/2018

... RESPONDENT / COMPLAINANT

For Petitioners : MR.K.KARMEGAM for
M/S.MATHURAM LAW ASSOCIATES Advocate

For Respondent : MR.M.ASOKAN Govt. Advocate (Crl. Side)

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

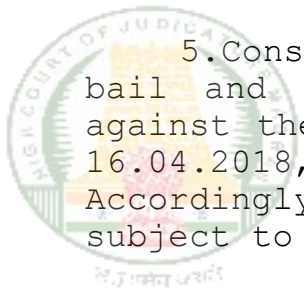
ORDER : The Court Made the following order :-

The petitioners / accused Nos.3 & 4, who were arrested and remanded to judicial custody on 16.04.2018 for the offences punishable under Sections 147 and 435 IPC and Section 3 of TNPPDL Act, in Crime No.56 of 2018, on the file of the respondent police seek bail.

2.The allegation against the petitioners is that on 15.04.2018, the petitioners and others burned a two wheeler.

3.On the side of the petitioners, it is stated that this is a case and counter case. The complainant herein is the accused in the case filed by these petitioners. The counter case has been registered in Crime No.55 of 2018 and only as a counter-blast, this false case has been registered. It is further stated that A-1 and A-2 were released on bail and prayed that the petitioners to be released on bail.

4.On the side of the respondent, it is stated that the co-accused were released on bail on deposit Rs.5,000/- and the damage is worth about Rs.30,000/- and objected to the release of the petitioners on bail.



5. Considering the fact that A1 and A2 were already released on bail and considering that there is a counter case registered against the complainant and that the petitioner is in custody from 16.04.2018, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioners shall deposit a sum of Rs.5,000/- [Rupees Five Thousand only] each to the credit of Crime No.56 of 2018 before the learned Judicial Magistrate, Muthukoolathoor;

(ii) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Muthukoolathoor.

(iii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iv) the petitioners shall not tamper with the evidence or witness either during investigation or trial; and

(v) the petitioners shall not abscond either during investigation or trial; and

(vi) 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 petitioners 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/-
03/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUTHUKOOLATHOOR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER IN CHARGE, SUB JAIL, MUTHUKOOLATHOOR.
- 4 THE INSPECTOR OF POLICE
SAYALKUDI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.MATHURAM LAW ASSOCIATES Advocate SR.No.8020

ORDER IN
CRL OP(MD) No.7521 of 2018
Date :03/05/2018