



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

Wednesday, the Thirteenth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) Nos.9566 and 9530 of 2018

1 GUNASEKAR @ GUNSEKRAN
2 MUTHURAMALINGAM @ CHINNAIYN
3 SURESH
4 RAJENDRAN @ VILLU RAJENDRAN
5 DHANAPAL ... PETITIONERS / ACCUSED (A1,A3,A4,A5,A6)
in CRL OP(MD)No.9566 of 2018

1 ARAVINTH
2 VELLAISAMY DURAISAMY
3 AMALA
4 SUMATHI
5 LATHA
6 JEEVITHA ... PETITIONERS/ACCUSED (A2,A7,A8,A9,A10,A11)
in CRL OP(MD)No.9530 of 2018

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THIRUVONAM POLICE STATION,
THANJAVUR DISTRICT.
(CRIME No.69 of 2018)

... RESPONDENT / COMPLAINANT
(in both petitions)

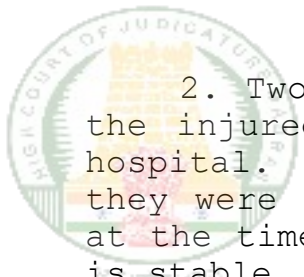
For Petitioner : Mr.S.KARTHIKEYAN Advocate

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 in Crl.O.P.(MD)No.9566 seek bail. The petitioners in Crl.O.P.(MD)No.9530 of 2018 seek Anticipatory Bail. The offences are under Sections 147, 148, 341, 294(b), 324, 326 and 307 IPC. The complainant is one Kumar. He has named all the petitioners totally 11 as accused in the First Information Report itself.



2. Two persons were seriously injured in the attack. In fact, the injured persons are still undergoing treatment in the private hospital. They were originally admitted in Government Hospital and they were subsequently discharged. The condition was very serious at the time of admission in Government Hospital. Now the condition is stable.

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3. Taking note of the said development, bail is granted to A1, A3, A4, A5 and A6 in CrI.O.P.(MD)No.9566 of 2018. Accordingly, the said 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 District Munsiff cum Judicial Magistrate, Orathanadu, Thanjavur District;

ii) the petitioners are directed to appear before the respondent police for a period of 8 weeks daily at 10.30 a.m.,.

(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 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].

4. The learned counsel for the petitioners undertakes that he will not apply for any condition relaxation under any circumstances.

CrI.O.P. (MD)No.9530 of 2018

As regards Vellaichamy and Jeevitha who have been shown as A7 and A11, it is seen that they only instigated others. No other overt act is attributed to them. Vellaichamy is aged 70 years and Jeevitha is a woman aged 21 years.

2. Therefore, Anticipatory Bail is granted only in respect of Vellaichamy and Jeevitha, A7 and A11. In respect of others accused, A2, A8, A9 and A10, Anticipatory Bail Petition is dismissed.

3. In view of the fact, this Court is inclined to grant anticipatory bail to the petitioners 2 and 6 with certain conditions. Accordingly, the petitioners 2 and 6 are ordered to be released on bail in the event of arrest or on their appearance before the learned District Munsiff cum Judicial Magistrate, Orathanadu, Thanjavur District and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 2 and 6 shall appear before the respondent police as and when required for interrogation. The petitioners 2 and 6 shall comply with the



conditions stipulated under Section 438 Cr.P.C. Scrupulously.

4. The petitioners 2 and 6 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

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sd/-
13/06/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIFF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
THIRUCHIRAPPALLI.
- 4 THE INSPECTOR OF POLICE,
THIRUVONAM POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.S.KARTHIKEYAN Advocate SR.No.10264.

ORDER
IN
CRL OP(MD) No.9566 and 9530 of 2018
Date :13/06/2018

SDS/RR:CSL/GSR/13.06.2018/2P/7C