



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

Wednesday, the First day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13549 to 13554 of 2018

MUHILAN

... PETITIONER/ACCUSED RANK NOT KNOWN
IN CRL OP(MD) Nos.13549,13450/2018
... PETITIONER/ACCUSED No.3
IN CRL OP(MD) Nos.13551 of 2018
... PETITIONER/ACCUSED No.4
IN CRL OP(MD) Nos.13552 to 13554 of 2018

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

Crime No.369 of 2012...CRL OP(MD) No.13549 of 2018
Crime No.219 of 2013...CRL OP(MD) No.13550 of 2018
Crime No.369 of 2012...CRL OP(MD) No.13551 of 2018
Crime No.191 of 2013...CRL OP(MD) No.13552 of 2018
Crime No.192 of 2013...CRL OP(MD) No.13553 of 2018
Crime No.193 of 2013...CRL OP(MD) No.13554 of 2018

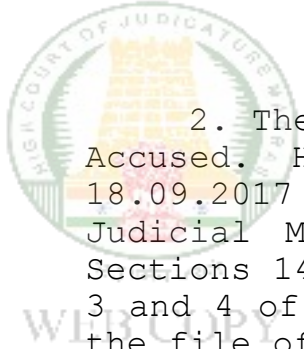
For Petitioner : Mr.R.ALAGUMANI Advocate
IN ALL THE PETITIONS

For Respondent : Mr.K.CHELLAPANDIAN Additionl Advocate General
Assisted by
Mr.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side) IN ALL THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P.(MD)No.13549 of 2018 is arrayed as Accused. He was arrested and remanded to judicial custody on 18.09.2017 in P.R.C.No.30 of 2014 on the file of the learned Judicial Magistrate, Valliyur, for the offences punishable under Sections 147, 148, 353, 342, 333, 365, 294(b), 397, 407 of I.P.C., and Section 13 of the Unlawful Assembly Act 1907 in Crime No.369 of 2012 on the file of the respondent police. He seeks bail.



2. The petitioner in Crl.O.P.(MD)No.13550 of 2018 is arrayed as Accused. He was arrested and remanded to judicial custody on 18.09.2017 in P.R.C.No.33 of 2014 on the file of the learned Judicial Magistrate, Valliyur, for the offences punishable under Sections 147, 148, 294(b), 323, 307, 506(ii) of I.P.C., and Sections 3 and 4 of Explosive Substances Act 1908 in Crime No.219 of 2013 on the file of the respondent police. He seeks bail.

3. The petitioner in Crl.O.P.(MD)No.13551 of 2018 is arrayed as Accused No.3. He was arrested and remanded to judicial custody on 18.09.2017 in P.R.C.No.44 of 2014 on the file of the learned Judicial Magistrate, Valliyur, for the offences punishable under Sections 147, 148, 294(b), 353, 188, 506(ii) of I.P.C., and Section 3 of T.N.P.P.D.L. Act in Crime No.369 of 2012 on the file of the respondent police. He seeks bail.

4. The petitioner in Crl.O.P.(MD)No.13552 of 2018 is arrayed as Accused No.4. He was arrested and remanded to judicial custody on 18.09.2017 in P.R.C.No.46 of 2014 on the file of the learned Judicial Magistrate, Valliyur, for the offences punishable under Sections 147, 148, 294(b), 431, 427, 506(ii) of I.P.C., and Section 3 of T.N.P.P.D.L. Act in Crime No.191 of 2013 on the file of the respondent police. He seeks bail.

5. The petitioner in Crl.O.P.(MD)No.13553 of 2018 is arrayed as Accused No.4. He was arrested and remanded to judicial custody on 18.09.2017 in P.R.C.No.47 of 2014 on the file of the learned Judicial Magistrate, Valliyur, for the offences punishable under Sections 147, 148, 294(b), 431, 427, 506(ii) of I.P.C., and Section 3 of T.N.P.P.D.L. Act in Crime No.192 of 2013 on the file of the respondent police. He seeks bail.

6. The petitioner in Crl.O.P.(MD)No.13554 of 2018 is arrayed as Accused No.4. He was arrested and remanded to judicial custody on 18.09.2017 in P.R.C.No.47 of 2014 on the file of the learned Judicial Magistrate, Valliyur, for the offences punishable under Sections 147, 148, 294(b), 431, 427, 506(ii) of I.P.C., and Section 3 of T.N.P.P.D.L. Act in Crime No.193 of 2013 on the file of the respondent police. He seeks bail.

7. The learned Additional Advocate General raised his objection that there is no justification in bypassing the Sessions Court. The petitioner must move the Sessions Court for grant of bail and only if it is dismissed, he would be justified in coming to this Court.

8. Sustaining the objections raised by the learned Additional Advocate General, this Court dismisses the Criminal Original petitions by relegating the petitioner to move the Sessions Court, before knocking the doors of this Court. It is needless to mention here that this Court has not expressed any opinion on the merits of the matter. The Sessions Court will consider the issue entirely on its own merits.



9. The Criminal Original petitions stand dismissed, accordingly.

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01/08/2018

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

TO

1. THE JUDICIAL MAGISTRATE, VALLIYUR.
 2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
 3. THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
 4. THE SUPERINTENDENT,
CENTRAL PRISON MADURAI.
 5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.R.ALAGUMANI Advocate SR.No.14680

ORDER
IN
CRL OP(MD) No.13549 to 13554
of 2018
Date : 01/08/2018

TK/RR/SAR.1/10.08.2018/3P-7C