



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

Thursday, the Ninth day of August Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14104 of 2018

1.MOTOR MANI @ MANIKANDAN
2.BAANI BHARATH @ BHARATH

... PETITIONER / ACCUSED 3,4

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.108/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.ESWARAN, Advocate.

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 16.06.2018 for the offences punishable under Sections 147, 148, 294(b), 302, 109 and 120(b) I.P.C.in Crime No.108 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that on 14.06.2018, when the defacto complainant and the deceased were riding in the motor cycle, at that time, one car intercepted and dashed against them. Due to that, the defacto complainant and the deceased fell down. Then, the deceased shouted the defacto complainant to go away from the spot and escape from the hands of the accused. Thereafter, he found that the deceased was died due to attack made by the accused herein. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons. They have been falsely implicated in this case. He further submits that the injured was taken to the hospital and thereafter, the said Sathesh@Satheshkumar succumbed to the injuries and was declared dead. Hence, he prays for bail to the petitioners.

4.The learned Additional Public Prosecutor for the respondent submitted that due to previous enmity between the two groups, one Vickram was murdered in the Court Campus. The petitioners are close



relatives of the deceased Vickram. Therefore, they murdered the deceased Sathish@Satheshkumar.

5.It is seen from the First Information Report that the defacto complainant did not see any of the accused person. Due to previous motive, the accused persons have been implicated in this offence.

6.Considering the above facts and circumstances and also considering the period of incarceration of the petitioners, 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 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 No.I, Kumbakonam.

(ii)the petitioners shall report before the Inspector of Police, Thiruvonam Police Station, Thanjavur District daily at 10.30 a.m until further orders.

sd/-
09/08/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,
KUMBAKONAM.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4.THE INSPECTOR OF POLICE,
THIRUNEELAKUDI POLICE STATION, THANJAVUR DISTRICT.

5.THE INSPECTOR OF POLICE,
THIRUVONAM POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to M/S.M.ESWARAN, Advocate, SR.No.15284.

ORDER
IN
CRL OP(MD) No.14104 of 2018
Date :09/08/2018