



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

Tuesday, the Twenty First day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.14493 of 2018

1 MUTHUKUMAR
2 MUTHUKUMAR
3 SHANMUGAM
4 SHAKTHIVEL

... PETITIONERS/ ACCUSED 1,3,4 & 5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
GANDARVAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
IN CRIME NO.105 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.S.RAJAPRABU Advocate

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

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

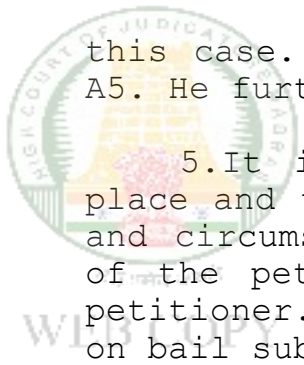
ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 03.07.2018 for the offences punishable under Sections 147, 148, 294(b), 324, 307 and 302 I.P.C in Crime No.105 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that due to civil dispute between the Accused No.6 and the defacto complainant, the defacto complainant and his brother went to Accused No.6's house and assaulted with aruval. Thereafter, Accused No.6 made a call to other accused persons and they reached the place of occurrence and assaulted the brother of the defacto complainant with deadly weapon. Due to that attack made by the accused, the brother of the complainant died in the Government Hospital. Hence, the case has been registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent. They did not commit any offence as alleged by the prosecution. They are in incarceration from 03.07.2018 onwards. Hence, he prays for bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the totally there are seven accused in



this case. The petitioners are arraigned as Accused Nos.1 to 3 and A5. He further submitted that the investigation is pending.

5.It is seen that due to civil dispute, the occurrence took place and the petitioners are agriculturists. Considering the facts and circumstances and also considering the period of incarceration of the petitioners, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioner 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, Pudukkottai.

(ii)the petitioners shall appear before the respondent police daily at 10.30 a.m until further orders.

sd/-
21/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, PUDUKKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
GANDARVAKOTTAI POLICE STATION, PUDUKKOTTAI DISTRICT.
4. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.RAJAPRABU Advocate SR.No.15814

ORDER
IN
CRL OP(MD) No.14493 of 2018
Date :21/08/2018

MS/PN/SAR-1/21.08.2018/2P.7C