



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22702 of 2018

1 VALLARASU
2 ASAIKANNAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE,
BODIYANAKANUR TOWN POLICE STATION,
THENI DISTRICT.
(CRIME NO.1178/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S.KRISHNAN Advocate

For Respondent : Mr.A.ROBINSON Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are remanded to judicial custody in Crime No.1178 of 2018 on the file of the respondent police for the offences punishable under Sections 294(b), 324 and 307 IPC and they seek bail.

2. The case of the prosecution is that the accused persons raised unbearable sounds and the same was questioned by the *de facto* complainant and it led to a wordy quarrel, as a result of which, the accused persons attacked the *de facto* complainant over his rib and face using stones, thereby causing injuries. The *de facto* complainant was admitted at Bodinayakanur Government Hospital. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate [Criminal Side] for the respondent State.

4. According to the petitioners, due to previous motive, the *de facto* complainant has lodged a complaint against the accused. They are innocent and they have nothing to do with the alleged commission of offence.



5. The learned Government Advocate [Criminal Side] stated that the injured has been discharged from the hospital. Most of the investigation has also been completed and it is only awaited for the want of wound certificate.

6. Considering the facts and circumstances of the case and also taking into consideration of the fact that the injured has already been discharged from the hospital, 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 separate 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 Judicial Magistrate, Bodinayakanur, Theni District and

(ii) the petitioners shall appear before the respondent police daily at 10:30 a.m. until further orders.

sd/-
27/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
BODINAAYAKANUR, THENI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE
THENI.
- 3 THE INSPECTOR OF POLICE
BODIYANAKANUR TOWN POLICE STATION,
THENI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT MADURAI.

+1. CC to M/S.S.KRISHNAN Advocate SR.No.24084
PS/VR/SAR-1/27.12.2018/2P/7C

ORDER
IN
CRL OP(MD) No.22702 of 2018
Date :27/12/2018