



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

Friday, the Twenty First day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22674 of 2018

1 GOWTHAM
2 TAMILSELVAN @ TAMIL
3 PRABHU

... PETITIONERS / ACCUSED NOS.3,4 & 7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NACHIYARKOVIL POLICE STATION,
KUMBAKKONAM, THANJAVUR DISTRICT.
IN CRIME NO.345 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.B.JAMEEL ARASU, Advocate
For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners were arrested and remanded to judicial custody since 29.10.2018 for the offences punishable under Section 306 of IPC, in Crime No.345 of 2018, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 28.10.2018 the petitioners along with other accused insulted and assaulted the victim. Hence, the victim committed suicide. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and due to previous enmity they have falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) submits that investigation is still pending. Totally there are seven accused are involved in this case.

5.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail on their executing 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.II, Kumbakonam, Thanjavur District and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not abscond either during investigation or trial.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 learned 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
21/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KUMBAKKONAM,
THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKKONAM.
3. THE INSPECTOR OF POLICE
NACHIYARKOVIL POLICE STATION,
KUMBAKKONAM, THANJAVUR DISTRICT.
4. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.B.JAMEEL ARASU Advocate SR.No.23834

ORDER
IN
CRL OP(MD) No.22674 of 2018
Date :21/12/2018

MS/PN-AC/SAR-2/21.12.2018/2P.7C