



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

Tuesday, the Fourth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20904 of 2018

1.PALANIMURUGAN
2.VELMURUGAN@BAVA
3.MANIKANDAN@PAINTER MANI
4.VALIVEDU MURUGAN

... PETITIONERS/ACCUSED 1 to 4

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI.
Crime No.1330/2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.J.WILLIAM CHRISTOPHER 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 :-

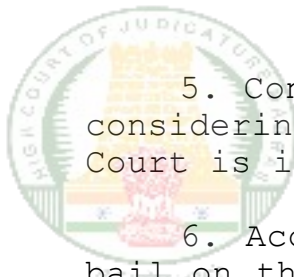
The petitioners-1 to 3 were arrested and remanded to judicial custody since 25.09.2018 and the fourth petitioner was arrested and remanded to judicial custody since 28.09.2018 for the offences punishable under Sections 147, 148, 307, 324 and 506(ii) of I.P.C., in Crime No.1330 of 2018, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity, on 23.09.2018 at about 08.45 p.m., at Vaigai River 3rd Pillar nearby Thevar Nagar, these petitioners along with othre accused had attacked the injured with deadly weapons on his head and other parts of the body.

3. The learned counsel for the petitioners would submit that the petitioners-1 to 3 are in judicial custody for the past 45 days and the fourth petitioner is for the past 42 days. He would further submit that the petitioners are innocents and no way connected with the above said offence.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Additional Public Prosecutor would submit that the injured person has been discharged from the hospital.



5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioners, 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.VI, Madurai and on further condition that:

[a] the petitioners shall report before the respondent police on every day at 10.30 am, for a period of two weeks.

[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/-

04/12/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTATE NO VI, MADURAI.

2.THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION, MADURAI

4.THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1. CC to Mr.J.WILLIAM CHRISTOPHER Advocate SR.No.22624

ORDER

IN

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Date :04/12/2018