



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

Friday, the Seventh day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15449 of 2018

1 HARI @ HARIHARAN
2 SRINATH
3 VINCENT

... PETITIONERS / ACCUSED NO.3 TO 5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THANJAVUR TMCH POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.340 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.K.JEGAN, Advocate
For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

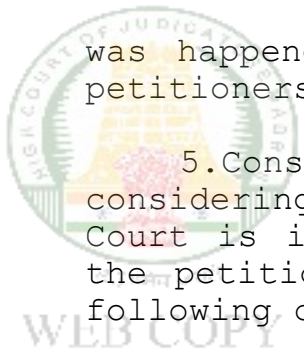
ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 03.07.2018 for the offences punishable under Sections 147, 148, 341, 506(ii), 307 and 302 I.P.C in Crime No.340 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that there was a dispute between the defacto complainant's sister's husband and one Srinath. Due to conspiracy dispute arose between them, on 01.07.2018, the defacto complainant and his brother were restrained and attacked by the accused persons with deadly weapons. Due to that the defacto complainant's brother was died. Hence, the case has been registered.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents. Initially the defacto complainant stated before the admission doctor at the time of admitting his brother and friend at hospital that they were attacked by some unknown persons. But, later he lodged a complaint by giving the name of the petitioners and co-accused. They have been falsely implicated in this case. He further submitted that the petitioners are in incarceration from 03.07.2018 onwards. Hence, he prays for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that due to business motive, this incident



was happened. There is no previous case is pending against these petitioners and investigation is pending.

5.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.II, Thanjavur.

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

sd/-
07/09/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.K.JEGAN Advocate SR.No.17126

ORDER
IN
CRL OP(MD) No.15449 of 2018
Date :07/09/2018

MS/MMS/SAR-2/07.09.2018/2P.7C