



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

Tuesday, the Fourth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15788 of 2018

SHANMUGHAM

... PETITIONER / ACCUSED NO.6

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : 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 petitioner is in judicial custody since 06.07.2018 for the offences punishable under Sections 147, 148, 294(b), 302, 307 and 324 I.P.C. in Crime No.105 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 03.07.2018 at about 4.30 p.m, the defacto complainant and his brother while collecting green-leaves for their goat in their field, at that time, Accused No.1 along with others attacked the defacto complainant and his brother, indiscriminately, with deadly weapons. Due to the attack made by the accused, the brother of the defacto complainant died in the Government Hospital and the defacto complainant sustained grievous injuries. Hence, the case has been registered.

3.The learned counsel for the petitioner would submit that due to the property dispute between A1's family and the defacto complainant, the petitioner has been falsely implicated in this case. The co-accused were released on bail by this Court in Crl.O.P (MD).Nos. 14493 and 14347 of 2018, dated 21.08.2018. The petitioner is in incarceration from 06.07.2018 onwards. Hence, he prays for bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the co-accused already released on bail and the investigation is pending.



5.Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pudukkottai.

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

sd/-

04/09/2018

/ 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 SUPERINTENDENT,CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
GANDARVAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.RAJAPRABU Advocate SR.No.16775

ORDER

IN

CRL OP(MD) No.15788 of 2018

Date :04/09/2018

MS/VR/SAR-2/04.09.2018/2P.7C