



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

Friday, the Fourteenth day of September Two Thousand and Eighteen

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PRESENT

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

CRL OP(MD) No.16481 of 2018

1.M.VASANTH
2.K.MUTHURAJ

... PETITIONERS / ACCUSED Nos.3 and 4

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
KULATHUR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.61/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.I.PINAYGASH, 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 27.06.2018 and, for the offences punishable under Sections 294(b), 323, 324, 307 and 506(ii) IPC altered into Section 302 IPC, in Crime No.61 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that on 19.06.2018 at about 01.25 p.m., when the deceased grazing his cattle on the land belonging to the A1 and A2, there was a dispute arose between them and thereafter, they attacked the deceased with wooden log. Due to the same, the deceased sustained grievous injuries. The petitioners herein also questioned the act of the deceased and attacked the deceased. Hence, the case was registered against the accused persons.

3.The learned Additional Public Prosecutor for the respondent submitted that investigation is pending.

4.The learned counsel for the petitioners would submit that the petitioners herein are the relatives of A1 and A2 and they are nothing to do with the alleged occurrence. He further submitted that there is no previous enmity between the petitioners and the defacto complainant and the petitioners are in judicial custody from 27.06.2018. Hence, he prays for bail.



5. It is seen from the records that so far as the petitioners are concerned, they are only relatives to A1 and A2. The deceased gracing his cattle in the land belonging to A1 and A2. Therefore, they attacked the deceased.

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6. 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 Court, Vilathikulam, Thoothukudi District.

(ii) the petitioners shall report before the respondent of Police, daily at 10.30 a.m. until further orders;

sd/-
14/09/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
VILATHIKULAM, THOOTHUKUDI DISTRICT.

2. DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE,
KULATHUR POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.I. PINAYGASH Advocate SR.No.17515.

ORDER
IN
CRL OP(MD) No.16481 of 2018
Date : 14/09/2018