



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

Friday, the Fifth day of October Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.17826 of 2018

1 RAMACHANDRAN
2 ANNADURAI
3 RAMESH @ RAMESGANDH
4 MUTHU @ MUTHUKRISHNAN
5 PRAKASH @ PRAKASHKUMAR
6 VINOTH
7 AJITH

... PETITIONERS / ACCUSED NO.1 TO 7

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
(IN CR NO.227 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RANI, Advocate
for M/S.D.R.MURUGESAN Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

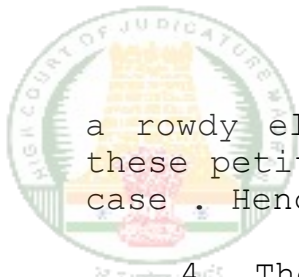
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are in custody since 15.09.2018 for the offences punishable under Sections 147,148,307 and 302 of IPC Crime No.227 of 2018 on the file of the respondent police. They seek bail.

2. The case of the prosecution is that on 13.08.2018 at about 10.15 p.m these petitioners had waylaid the deceased persons and had done him to death. This incident is said to have been seen by the father of the deceased. However, complaint was given to the respondent police only on 14.08.2018 at about 09.30 am. Thereafter the respondent police have arrested these petitioners on 15.09.2018.

3. The learned counsel for the petitioners would submit that if really the defacto complainant namely the father of the deceased had witnessed the incident on 13.08.2018 at about 10.15p.m, the natural conduct would have been to immediately lodge a complaint before the respondent police. However, very fact that the complaint itself was given only on 14.08.2018 at 9.30 a.m makes the theory of the prosecution that the defacto complainant witnessed the incident is improbable He would further submit that the deceased was already



a rowdy element and he had several cases against him. Therefore these petitioners have been falsely ropped in as an accused in this case. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that there was a dispute between A1 and deceased persons, as a result of which A1 along with others had attacked the deceased person on 13.08.2018 and done him to death. He would further submit that investigation is almost completed and chemical report is awaited.

5. Taking into consideration, the above facts and circumstances and also considering the period of incarceration of the petitioners and that the investigation is almost completed in this case, 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai, Thanjavur District.

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

sd/-

05/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, THANJAVUR.
- 3 THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.R.MURUGESAN Advocate SR.No.18995

ORDER

IN

CRL OP(MD) No.17826 of 2018

Date :05/10/2018