



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

Monday, the Twenty Fifth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2122 of 2019

1 VALLIAMMAL,

2 ANBARASAN,

... PETITIONERS / ACCUSED 7 & 8

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
SETHUBAVACHATHIRAM POLICE STATION,
THANJAVUR DISTRICT.
(CRIME.NO.02/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SURESH MANICKAM Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

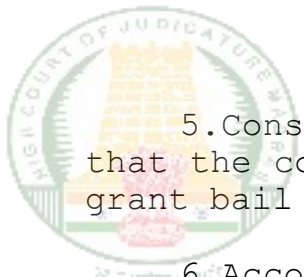
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody since 04.01.2019 for the offences punishable under Sections 341, 120(b), 147, 148, 201, 302 and 109 IPC in Crime No.02 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there is a civil dispute between the deceased and petitioners family, while so, on 03.01.2019 deceased and defacto complainant were on their way to home was attacked by the known and unknown persons, out of which the deceased sustained injury and passed away. Hence, the complaint.

3.The learned for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the co-accused were released on bail by this Court in Crl.O.P.(MD) No.2451 of 2019, dated 18.02.2019 and Crl.O.P.(MD).No.2750 of 2019 dated 22.02.2019 and hence, he would pray for bail to the petitioners.

4.The learned Government Advocate(Crl.side) did not dispute the submissions of the learned counsel appearing for the petitioners.



5. Considering the nature of the case and considering the fact that the co-accused released on bail by this Court, I am 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police as and when required for interrogation and the second petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-
25/02/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE , PATTUKKOTTAI .

2 THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
SETHUBAVACHATHIRAM POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to Mr.S.SURESH MANICKAM Advocate SR.No.3659

PS/PN/SAR-1/25.02.2019/3P/7C

ORDER

IN

CRL OP (MD) No.2122 of 2019

Date : 25/02/2019