



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

Friday, the Twenty Second day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2750 of 2019

1 KATHIRAVAN
2 SENTHILKUMAR
3 RAJADURAI

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
SETHUBAVACHATRAM POLICE STATION,
THANJAVUR DISTRICT,
CRIME NO.2/2019

... RESPONDENT/COMPLAINANT

For Petitioners : MR.MA.KARUNANITHI, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners who were arrested on 04.01.2019 for the offence under Sections 341, 120(b), 147, 148, 201, 302 & 109 IPC in Cr.No.2 of 2019, on the file of the respondent police, seek bail.

2.It is the case of the prosecution that there was a family dispute between the accused persons and the deceased and due to that motive the accused persons engaged one Siva, who is arrayed as A1 in this case and he is way-laid the deceased and assaulted with aruval and he was died in the spot. The specific allegations against these petitioners are that they have said to have helped the first accused to change his dress. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit the first petitioner is a college going student the allegation against the petitioners is that they helped the main accused to change his dress. He would further submit that the co-accused was released on bail by this Court in Crl.O.P.(MD)No.2451 of 2019, dated 18.02.2019 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 relative surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai, Thanjavur District and on further condition that:

(a)the sureties shall affix their photographs and left thumb impression in the surety bond and the 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 and the petitioners Nos.2 & 3 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 petitioner 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/-
22/02/2019

/ 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 DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE
SETHUBAVACHATRAM 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 MR.MA.KARUNANITHI, Advocate SR.No.3554

ORDER

IN

CRL OP(MD) No.2750 of 2019

Date :22/02/2019

GNS

PK/VR/SAR-4/22.02.2019 : 3P/7C