



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

Monday, the Eighteenth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.3911 of 2019

1 KANNAN

2 SATHISHKUMAR

...PETITIONERS/ACCUSED NO.1 & 2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

PAVOORCHATHIRAM POLICE STATION,

TIRUNELVELI DISTRICT.

(CRIME NO.81/2019)

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.B.ANANDAN, 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 :-

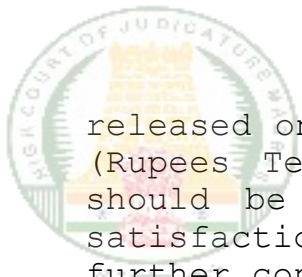
The petitioners who were arrested on 18.02.2019 for the offences under Sections 147,148,341,294(b),324,307 and 506(ii) of IPC ,in Cr.No.81 of 2019, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are belonged to different community. Due to previous enmity they attacked each other with aruval. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution and hence, he would pray for bail to the petitioners.

4.The learned Additional Public Prosecutor on instructions would submit that injured has been discharged from the hospital

5.Considering the nature of the case and considering the period of incarceration and also considering the fact that the injured has been discharged from the hospital , I am inclined to grant bail to the petitioners. 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, Tenkasi and on further condition that:

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(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 petitioners 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/-

18/03/2019

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

TO

1. THE JUDICIAL MAGISTRATE, TENKASI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE OFFICER INCHARGE, BORSTAL SCHOOL,
NANGUNERI, TIRUNELVELI DISTRICT.
4. THE INSPECTOR OF POLICE
PAVOORCHATHIRAM POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.B.ANANDAN Advocate SR.No.5065

ORDER

IN

CRL OP(MD) No.3911 of 2019

Date :18/03/2019