



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

Monday, the Eighth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.5248 of 2019

1.VETRI SELVAM,
2 CHINNAMUTHU,
3 JEYARAJ,
4 KARUPPU @ KARUPPIAH,
5 RAMU,
6 CHINNAMMAL,
7 RAMARAJ,

... PETITIONERS / ACCUSED 1 TO 7

Vs

THE SUB INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
PERIYAKULAM, THENI DISTRICT.
(CRIME NO.167 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.N.MARIMUTHU for
MR.K.APPADURAI 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 25.03.2019 for the offences under Sections 147, 148, 294 (b), 341, 323, 324, 353, 506 (ii) IPC @ 147, 148, 294 (b), 341, 323, 324, 353, 307 & 506 (ii) IPC, in Cr.No.167 of 2019, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that there was a wordy quarrel due to property dispute between the second petitioner and the sixth petitioner. On seeing that the wordy quarrel, some third party having call to the Control Room 100. On receipt of call from Control Room 100, immediately, the police went to the scene of occurrence in order to control the quarrel. In which, the petitioners joint together abused the defacto complainant/ police



and they were attacked him with their hands. Hence, the defacto complainant/ police lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioners would submit the petitioners are an innocent person and they have not committed any offence as alleged by the prosecution. He would further submit that no one has sustained injury. Hence, he would pray for bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that some persons have sustained minor injury.

5. Considering the nature of the case and considering the period of incarceration, 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, Periyakulam, 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 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

08/04/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
PERIYAKULAM.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
PERIYAKULAM, THENI DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISION,
AUNDIAPATTY, THENI DISTRICT.

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

+1. CC to MR.K.APPADURAI Advocate SR.No.6345

ORDER

IN

CRL OP(MD) No.5248 of 2019

Date :08/04/2019

dss

AE/PN/SAR-I/08.04.2019/3P/7C