



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

Thursday, the Sixteenth day of May Two Thousand Nineteen

PRESENT

**The Hon`ble Mr Justice B.PUGALENDHI**

**CRL OP (MD) No.6742 of 2019**

1 S.DINESH

2 P.SURENDRAN

... PETITIONERS/ACCUSED RANK A1 & A2

Vs

STATE REP.BY,  
THE INSPECTOR OF POLICE  
PONNAMARAVATHI POLICE STATION,  
PUDUKKOTTAI DISTRICT  
(CR.NO.41/2019)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.A.ARUN PRASAD, Advocate

For Respondent : MR.K.K.RAMAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners/Accused No.1 & 2 who were arrested and remanded to judicial custody on 09.04.2019 for the offences punishable under Section 302 of IPC in Crime No.41 of 2019 on the file of the respondent police, seek bail.

2.Heard Mr.A.Arun Prasad, learned Counsel for the petitioner and Mr.K.K.Ramakrishnan, Additional Public Prosecutor appearing for the State.

3.The case of the prosecution is that on 09.04.2019 one Balasubramaniam, husband of the *de facto* complainant went to Manamagil Mandram at Ponnamaravathi, where he was later found dead in suspicious manner. Prior to the occurrence, there was a wordy quarrel between the petitioners and the deceased Balasubramaniam and therefore suspecting that these petitioners would have committed this offence, this complaint has been lodged as against these petitioners.

4.The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offences as



alleged by the prosecution. The learned counsel further submitted that these petitioners were arrested and remanded to judicial custody on 09.04.2019 and they are languishing in the jail for the past 40 days.

5. The learned Additional Public Prosecutor on instructions from the respondent police would submit that there is no bad antecedent against the petitioners and also the substantial portion of the investigation has been completed.

6. Taking into consideration of the fact that a substantial portion of the investigation is over and also the fact that the petitioners have already suffered incarceration for more than 40 days, this Court is inclined to grant bail to the petitioners subject to the following conditions.

7. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Thirumayam and on further conditions that:-

[a] the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds;

[b] the petitioners shall report before the respondent police daily twice at 10:30 a.m. and 4:30 p.m., until further orders;

[c] the petitioners shall not tamper the evidence or witness either during investigation or trial;

[d] the petitioners shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners abscond, the respondent police shall register a case as provided under Section 229-A IPC and

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-  
16/05/2019

/ TRUE COPY /

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



TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
THIRUMAYAM

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI

3. THE INSPECTOR OF POLICE  
PONNAMARAVATHI POLICE STATION,  
PUDUKKOTTAI DISTRICT.

4. THE OFFICER INCHARGE,  
SUB JAIL, PUDUKKOTTAI.

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

+1. CC to M/S.A.ARUN PRASAD, Advocate SR.No.8631

ORDER

IN

CRL OP (MD) No.6742 of 2019

Date :16/05/2019

STS/TA

PK/JC/SAR-2/17.05.2019 : 3P/7C