



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 12/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7994 of 2019

1. Dinesh
2. Saravanakumar @ Mian ... Petitioners/Accused 1 & 2

Vs

State Rep.by
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
Crime No.81/2019. ... Respondent/Complainant

For Petitioner : M/s.R.Murugan,
Advocate.
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

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

PRAYER :-

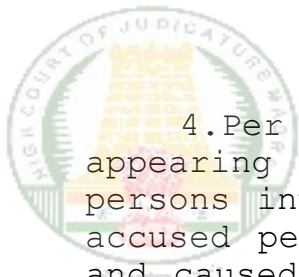
For Bail in crime no.81/2019 on the file of the respondent police

ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/Accused 1 and 2 seeking bail for the alleged offence punishable under Sections 341, 294(b), 324, 307, 506(ii) and 120(B) of IPC.

2.Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that due to dispute arose with regard to lifting of fire in a temple festival a false case has been foisted against the petitioners herein. He further submitted that the injured person sustained only simple injuries and he has already been discharged from the hospital. He further submitted that co-accused accused were granted anticipatory bail and some other co-ccused were arrested and subsequently released on bail and therefore, he prayed for granting bail to the petitioners.



4.Per contra, the learned Additional Public Prosecutor appearing for the respondent has submitted that totally six accused persons involved in this case and the petitioners herein and other accused persons have attacked the de-facto complainant with aruval and caused injuries. He further submitted that Accused Nos.4 and 5 were arrested and remanded to judicial custody and subsequently they were released on bail. He further submitted that Accused Nos.3 and 6 were granted anticipatory bail and hence, he opposed this petition. However, he fairly conceded that the injured was already discharged from the hospital.

5.Taking into consideration of the fact that the Accused Nos.3 and 6 were granted anticipatory bail and Accused Nos.4 and 5 were granted regular bail and also the fact that the injured person was already discharged from the hospital, this Court is inclined to grant bail to the petitioners with certain conditions.

[a] the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Ramanathapuram.

[b] the petitioners shall report before the respondent police daily at 10.00.a.m for a period of one month and thereafter, as and when required for the interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

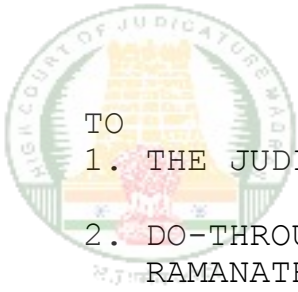
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
12/06/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3. THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM.

4. THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1. CC to Mr.R.MURUGAN Advocate SR.No.9513

ORDER

IN

CRL OP(MD) No.7994 of 2019

Date :12/06/2019

MS/VR/SAR-2/12.06.2019/3P.7C