



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

Wednesday, the Twenty Sixth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8934 of 2019

1 VEERAMANI @ VEERAMANIKANDAN

2 KAMATCHI

... PETITIONER / ACCUSED NO.2 & 5

Vs

STATE REP. BY

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

CRIME NO.182/2019

... RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : MR.R.MURUGAN Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/ Accused No.2 & 5 seeking bail for the alleged offence under Sections 341, 147, 148, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.182 of 2019.

2. Heard both sides

3. The learned counsel for the petitioners would submit that due to family dispute a false case has been foisted against the petitioners. He further submitted that the petitioners were arrested and remanded to judicial custody on 17.06.2019 and from that date onwards they are in custody. He further submitted that the injured was already discharged from the hospital and therefore he prayed to grant bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that there are totally eight accused in this case. The petitioners herein A2 and A5. He would further submit that there was a quarrel arose between the petitioners and others and defacto complainant, the petitioners and others attacked the defacto complainant with aruval and iron rod on the back side of the head. Hence he strongly opposed to grant bail to the petitioners. However he fairly conceded that the injured was already discharged from the hospital.



5. Taking into consideration the aforesaid submissions and also the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners by imposing conditions:

[a] 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 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 10.30 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 trail.

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

[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].

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

sd/-
26/06/2019

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

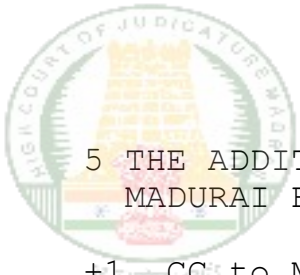
TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

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

4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.



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

+1. CC to M/S.R.MURUGAN Advocate SR.No. 10495

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ORDER

IN

CRL OP(MD) No.8934 of 2019

Date :26/06/2019

JM/VR/SAR 3/26.06.2019/3P/7C