



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10302 of 2019

1. Palavesam @ Palavesa Muthu,
2. Petchikannan

...Petitioners/Accused No.2 & 3

Vs

State Rep.by
The Inspector Ofpolice,
Srivaikundam Police Station,
Thoothukudi District.
Crime No.76 of 2019

... Respondent/Complainant

For Petitioners : M/s.V.Angusamy,
Advocate.

For Respondent : Mr. V. Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

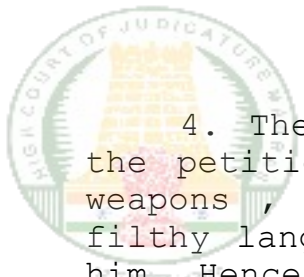
For bail petition in cr.no.76 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/ Accused-2 and 3 seeking bail for the alleged offence under Sections 147,148,341,294(b),307,302 and 506(ii) of IPC

2. Heard both sides

3. The learned counsel for the petitioners would submit that there are seven accused in this case and the petitioners herein are A2 and A3. He would also submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that A1,4,5 and 6 in this case were granted bail by this Court. He would further submit that the petitioners are in custody from 01.05.2019 therefore he prayed to grant bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that the petitioners herein unlawfully assembled together with deadly weapons, waylaid the deceased and his friends, abused him with filthy language and assaulted him with deadly weapons and murdered him. Hence he strongly opposed to grant bail to the petitioners. However he fairly conceded that A1,4,5 and 6 in this case were granted bail by this Court.

5. Taking into consideration the aforesaid submissions and also the fact that the petitioners are in custody for the past 82 days and also considering the fact that A1,4,5 and 6 were granted bail by this Court, this Court is inclined to grant bail to the petitioners by imposing 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) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Srivaikundam, Thoothukudi District

[b] the petitioners shall report before the Tallakulam Police Station, Madurai 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 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 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/-

23/07/2019

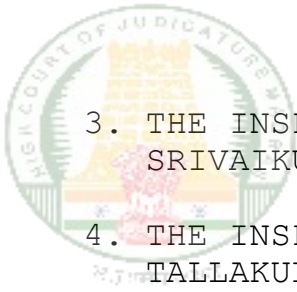
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



3. THE INSPECTOR OF POLICE,
SRIVAİKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT.

4. THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, MADURAI.

5. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1. CC to M/S.V.ANGUSAMY Advocate SR.No.12142

ORDER

IN

CRL OP (MD) No.10302 of 2019

Date : 23/07/2019

MS/PN/SAR-3/23.07.2019/3P.8C