



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

Friday, the Sixth day of September Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.12452 of 2019

1 RAMASAMY
2 PALANI
3 MUTHUKUMAR

... PETITIONER/ ACCUSED A1,A2, A3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.83/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. R. PRASANNA Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Heard the learned counsel appearing for the petitioners and learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners herein were arrested and remanded to custody on 18.07.2019 for the offences under Sections 294(b), 506(i) and 323 @ 302 of IPC. Hence, they seek bail.

3.The deceased and the petitioners are friends. It appears that a petty quarrel arose in the aftermath of the consumption of liquor and in the ensuing scuffle, the deceased was injured on 10.07.2019. He succumbed to the injury on 18.07.2019 and that is how, FIR was altered and the offence under Section 302 of IPC was included. The petitioners are not having any previous case.

4.Taking note of the circumstances leading to the occurrence, I am inclined to grant bail to the petitioners. Accordingly, the petitioners are enlarged on bail subject to the following conditions:-



(i) the petitioners shall execute 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, Aranthangi.

(ii) the petitioners shall appear before the respondent police as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

[v] 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 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].

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

sd/-

06/09/2019

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ARANTHANGI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.PRASANNA, Advocate (SR-15022[I] dated 06/09/2019)

ORDER

IN

CRL OP(MD) No.12452 of 2019

Date :06/09/2019