



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

Monday, the Sixteenth day of September Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice V.PARTHIBAN

WEB COPY

CRL A(MD) No.410 of 2019

1 RAGU ALIAS NAGARAJAN
2 SURESHKUMAR

...APPELLANTS/ ACCUSED Nos. 1 & 2

Vs

1 STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
KEERANUR DIVISION, PUDUKKOTTAI DISTRICT

2 STATE REP.BY
THE INSPECTOR OF POLICE
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT

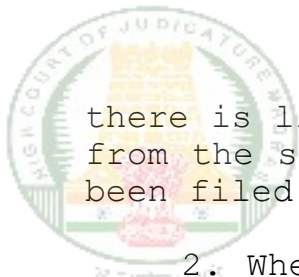
(IN CRIME NO.3 OF 2018) ...RESPONDENTS No. 1 & 2/COMPLAINANTS

3 ARULRAJ ...3rd RESPONDENT/DEFACTO COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to call for the entire records relating to order dated 03.09.2019 passed in CRL.M.P.No.2290 of 2019 on the file of the learned Principal Sessions Judge, Pudukkottai and set aside the same as arbitrary and consequently order to release the Appellants on bail in connection with Crime No.3 of 2018 on the file of the 2nd Respondent Police.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.G.MATHAVAN, Advocate for the petitioner and of Mr.V.Neelakandan, Additional Public Prosecutor, for R1 & R2, the court made the following order:-

The petitioners were charged for the offences u/s 294 (b), 323, 324 IPC and Section 3 (1) (a), 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the SC/ST Amendment Act, 2015. Earlier, the petitioners were granted bail by the trial court, which was subsequently cancelled for the reasons that the condition relating to appearance of the petitioners before the respondent/police was not complied with. Thereafter, Crl. M.P. No.2290/2019 was moved for grant of bail and the same was dismissed on the ground that earlier the accused/petitioners did not comply with the condition imposed and, therefore, the bail application cannot be favourably considered as



there is likelihood of the petitioners/accused absconding themselves from the scene. Against the said dismissal, the present appeal has been filed by the petitioners.

2. When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner that charge sheet has been filed and the petitioners/accused have been under incarceration since 26.8.2019, in view of the cancellation of bail.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the official respondents and perused the materials available on record.

4. Taking into consideration the subsequent development and the fact that the petitioners have been under incarceration for a considerable length of time, this Court is inclined to grant bail.

5. Accordingly, the miscellaneous petition is allowed and the petitioners are directed to be enlarged on bail on condition that the each of the petitioner executes a bond for a sum of Rs.10,000/- with two sureties, each for a likesum, to the satisfaction of the Principal Sessions Judge (PCR), Pudukkottai, and on further condition that the petitioners shall appear before the said Court at 10.30 a.m. on the 1st working day of every week until further orders.

sd/-
16/09/2019

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

TO

1. THE PRINCIPAL SESSIONS JUDGE (PCR),
PUDUKKOTTAI.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
KEERANUR DIVISION,
PUDUKKOTTAI DISTRICT
- 3 THE INSPECTOR OF POLICE
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT
4. THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.



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

+1. C.C. to M/S. G. MATHAVAN Advocate SR.No.86769

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ORDER IN
CRL A(MD) No.410 of 2019
Date :16/09/2019

GLN
ES/PN/SAR 1/16.09.2019/3P/7C