



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

Date : 07/01/2020

PRESENT

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

CRL OP(MD). No.129 of 2020

1. SAMYDURAI @ PACKIYARAJ
2. BALAKRISHNAN
3. CHINNADURAI
4. POOLPANDI

... PETITIONERS/ACCUSED 2 TO 5

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
ERAL POLICE STATION,
ERAL, THOOTHUKUDI.
(IN CRIME NO.211 OF 2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. Antony S. Prabahar,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

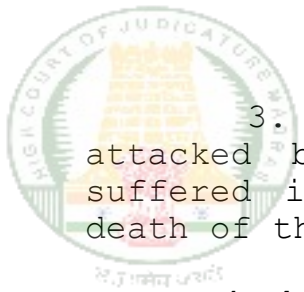
PRAYER :-

for Bail in Crime No.211 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioners are in custody since 14.11.2019 for the offences punishable under sections 147, 148, 294(b), 323, 324, 427, 307, 302 and 506(ii) of I.P.C., in Crime No.211 of 2019 on the file of the respondent police. They seek bail.



3. The petitioner's counsel would state that the persons attacked by the petitioners are only witnesses and they have suffered injuries and the petitioners did not contribute to the death of the victim.

4. The antecedents of the petitioners are not that bad. Therefore, I am inclined to grant relief. Hence, bail is granted. It is made clear that the main accused cannot take advantage of this order granting bail to the petitioners 2 to 5. When the bail petition of A1 is taken up for consideration, it will be the duty of the police to bring it to the Court concerned.

5. Accordingly, the petitioners are ordered to be released 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, Srivaikundam.

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

(iii) 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].

sd/-
07/01/2020

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

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAIAKUNDAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
ERAI POLICE STATION,
ERAI, THOOTHUKUDI.



4 THE OFFICER INCHARGE,
SUB JAIL, PERURANI,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.ANTONY.S.PRABHAHAR, Advocate (SR-248[I] dated
07/01/2020)

ORDER
IN
CRL OP(MD) No.129 of 2020
Date :07/01/2020

rmm
JM/PN/SAR 4/07.01.2020/3P/7C