



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

Date : 03/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2158 of 2022

1. Radhakrishnan
2. Chinnasamy
3. Perumalraj

... Petitioners/Accused 1 to 3

Vs

State Rep.by
The Sub Inspector of Police,
Sriviliputhur Town Police Station,
Virudhunagar District.
(Crime No.622/2021)

... Respondent/Complainant

For Petitioners: M/s.Jothi Basu.M.,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

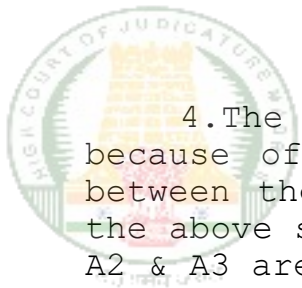
PRAYER :- For bail in Crime No.622 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3 herein, who were arrested on 04.12.2021 for the alleged offences under Sections 450 and 302 IPC, in Crime No.622 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that because of the pathway dispute between the deceased and the petitioners, the petitioners alleged to have entered into the house of the deceased and said to have attacked him with an aruval and the deceased died on the spot itself. Hence, this complaint.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners were arrested and remanded to judicial custody on 04.12.2021. Ever since, they are in custody. Hence, he prays to grant of bail to the petitioners.



4.The learned Government Advocate (Crl.Side) submitted that because of the dispute with regard to the pathway, trouble exist between the parties for more than 30 years. As a result of which, the above said murder took place. A1 is having one previous case and A2 & A3 are having two previous cases.

5.Considering the period of incarceration and also considering the information furnished by the learned Government Advocate (Crl.Side), except the minor offence, the petitioners are not having any bad antecedents, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail, on executing a personal 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 Court No-II, Srivilliputhur, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
03/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
 3. THE OFFICER INCHARGE, DISTRICT PRISON,
VIRUDHUNAGAR.
 4. THE SUB INSPECTOR OF POLICE,
SRIVILIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-661[I] dated 03/02/2022)

ORDER IN
CRL OP(MD) No.2158 of 2022
Date :03/02/2022

DSS

<https://hcservices.courts.gov.in/hcservices/MS/EN/GR/DO/64/02.2022/2P.7C>