



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11528 of 2022

WEB COPY

1. Sundarapandian
2. Seetharaman
3. Senduraja
4. Nagarajan
5. Chandiran

... Petitioners/Accused Nos.1 to 5

Vs

State Rep.by
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
Cr.No.140/2022.

... Respondent/Complainant

For Petitioners : Mr.Saravanakumar C,
Advocate.
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

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

PRAYER :-

For Bail in Crime No.140 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A5, who were arrested on 10.06.2022 for the alleged offence under Sections 147, 148, 149, 294(b), 307 and 506(ii) of IPC, in Crime No.140 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that some time prior 1½ months ie., on the date of occurrence, birthday of one Sundarapandi was celebrated. In that event, the defacto complainant and others participated, where some sort of trouble has arisen between the accused persons. Subsequent to also, the problem continued. On 08.06.2022, knowing that one Senduraja came to the village and made trouble, the defacto complainant and others went to the house of the aforesaid Senduraja at about 09.30 pm., and made enquiry. At about 11.30 pm., when the defacto complainant and others were in the place of occurrence, the accused persons came to that place in a bike and caused trouble and assaulted them with Aruval etc., Two persons sustained injuries.



3.The learned counsel for the petitioner submitted that regarding the very same occurrence, a counter case in Crime No.141 of 2022 for the offences punishable under Sections 294(b), 324 and 506(2) IPC, has been registered, wherein the 4th accused is the defacto complainant herein.

WEB COPY

4.Reading of the counter complaint also shows that because of the aforesaid issue, there was continues trouble between the parties. Subsequent to that, on 08.06.2022 at about 11.45 pm., the counter party attacked them and caused injuries.

5.The learned Government Advocate (Crl.side) for the respondent submitted that in the counter case, the injured has been discharged from the hospital and the accused were also released on bail by the concerned Magistrate Court. Insofar as the present case is concerned, the injured has been discharged from the hospital and one person sustained bleeding injury and 11 stitches have been made. Similarly another person sustained injury in his nose and 7 stitches have been made. Considering the seriousness of the assault, the learned Government Advocate (Crl.side) submitted that this petition may be dismissed.

6.Considering the fact that it is a group clash between the two people, in which both side people engaged in assault, over which both side people got injury, this Court is inclined to grant bail to the petitioners with certain conditions.

7.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 Judicial Magistrate Court, Cheranmahadevi and on further condition that the petitioners must stay away from the occurrence village and must stay in Madurai. The petitioners shall report before the learned Judicial Magistrate No.1, Madurai daily at 10.30 a.m. until further orders.

sd/-

29/06/2022

/ TRUE COPY /

29/06/2022

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, CHERANMAHADEVI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

6 THE INSPECTOR OF POLICE, VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-6299[I] dated 29/06/2022)

ORDER

IN

CRL OP(MD) No.11528 of 2022

Date :29/06/2022

RS/PN/SAR.3 (29.06.2022) 3P-9C