



CRL OP(MD). No.19268 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

CRL OP(MD). No.19268 of 2023

1.Munishkumar @ Muneeshkumar

2.Vishwanathan @ Vennaisamy

3.Palanikumar

... Petitioners / Accused No.1 to 3

Vs

The state rep. by
The Inspector of Police,
Kottaipattinam Police Station,
Pudukkottai District.
(Crime No.87 of 2023).

... Respondent/Complainant

For Petitioner : Mr.G. Vishnuram, Advocate

For Respondent : Mr.A. Thiruvadikumar
Additional Public Prosecutor

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



CRL OP(MD). No.19268 of 2023

PRAYER :-
WEB COPY

For Bail in Crime No. 87 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos. 1 to 3 herein, who were arrested and remanded to judicial custody on 12.10.2023 for the alleged offence under Sections 294(b), 323, 342, 364 and 307 IPC in Crime No.87 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 12.10.2023, at about 09.00 a.m., due to previous motive, the petitioners herein along with other accused have attacked the defacto complainant with Aruval and caused cut injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that they are in judicial custody for the past 14 days. The petitioners are law abiding citizens and they are ready to furnish surety and ready to obey the conditions to be imposed by the Court. Accordingly, he prayed to allow the petition.



CRL OP(MD). No.19268 of 2023

WEB COPY

4. Per contra, the learned Additional Public Prosecutor submitted that the petitioners and the defacto complainant had previous motive relating to temple's festival accounts. Due to the said enmity, the petitioners herein attacked the defacto complainant and caused injuries. Now, the injured was discharged from the hospital. He further submitted that A4 is still absconding and the petitioner Nos.1 and 2 have no previous cases and the petitioner No.3 has six previous cases in his credit. Further, the investigation is in crucial stage and not yet completed. Accordingly, the learned Additional Public Prosecutor prayed to dismiss the petition.

5. Heard on both sides. This Court has perused the records.

6. The petitioner is in judicial custody for the past 14 days. Considering the nature of allegations made against the petitioners 1 and 2 / A1 and A2 and also considering the fact that the injured was discharged from the hospital and that the petitioners 1 and 2 have not previous case, this Court is inclined to grant bail to the petitioners 1 and 2.



CRL OP(MD). No.19268 of 2023

7. Accordingly, this Criminal Original Petition is partly allowed subject to the following conditions:

(i) The petitioners 1 and 2 / A1 and A2 are ordered to be released on bail, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi;

(ii) The petitioners 1 and 2 / A1 and A2 shall appear and sign before the respondent police daily at 10.30 a.m. and 5.30 pm until further orders;

(iii) The petitioners 1 and 2 / A1 and A2 shall not cause threat to the defacto complainant and witnesses; and

(iv) On breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioners 1 and 2 / A1 and A2 in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].



CRL OP(MD). No.19268 of 2023

WEB COPY

8. Considering the previous antecedents of the petitioner No.3/A3(namely, Palanikumar), this Criminal Original Petition is dismissed as against the petitioner No.3/A3.

sd/-
26/10/2023

/ TRUE COPY /

27 /10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

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



CRL OP(MD). No.19268 of 2023

+1 CC to M/s.G.VISHNURAM, Advocate (SR-15593[I] dated 26/10/2023)

WEB COPY

ORDER

IN

CRL OP(MD) No.19268 of 2023

Date :26/10/2023

RK (27/10/2023) 6P /7 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023