

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, MADURAI.

PRESENT: THIRU. M.THANDAVAN, B.L.,

(I Additional District & Sessions Judge, Madurai)

PRINCIPAL SESSIONS JUDGE (i/c.) MADURAI.

(AUTHORISED U/S.10(3) OF CR.P.C.)

Thursday, this the 20th day of August -2020.

CrI.M.P.No.3726/2020

1. Senthilkumar, S/o.Veerapandi

2. Satheeswaran, S/o.Chandrabose

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Melur P.S. Cr.No.1571/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.B.Stalin, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Bail application u/s. 439 of Cr.p.c.

2. The offences alleged are U/s. 147, 148, 307, 324 and 506(ii) of IPC, Sec. 3(1) of TNPPDL Act and Sec. 4 of TNPWH Act.

3. Heard.

4. The case of the petitioner is that the date of occurrence was on 9.8.2020, the petitioners were remanded to judicial custody on the same date and they are in judicial custody for the past 12 days. The defacto complainant has lodged the complaint against the accused only on the election motive. The petitioners have not involved themselves in any occurrence as detailed by the prosecution. The petitioners have also given a complaint against the defacto complainant and there was no action taken by the police. There is no bad antecedents against the

petitioners. The petitioners are ready to obey the condition imposed by this court and prays to grant bail to the petitioner.

5. It is argued on the part of the respondent that totally there are 22 accused in this case and the petitioners are A1 and A11. The other accused have to be secured as they are absconding. There are 4 persons injured in this case. All the injured have sustained head injuries. Due to pandemic situation, all the injured persons discharged from the hospital. There was dispute between the parties in respect of the land belonging to the temple. Both the parties are Pangalies to each other. There is no political motive behind the accused. The accused have damaged the Innova car, van, two wheeler, cycle and the house of the defacto complainant. The petitioners are continuing the same act and therefore, it is strongly objected on the part of prosecution for release of the accused on bail.

6. A careful perusal of the records and the arguments of both sides indicates that the other accused have to be secured in this case. It is stated that the petitioners have damaged the Innova car, van, two wheeler, cycle and the house of the defacto complainant. Totally there are 4 persons injured in this case. All the injured have sustained head injuries. Therefore, considering the nature of injuries caused by the petitioners and strong objection on the side of the petitioners, the petition deserves to be dismissed.

7. In the result, the bail petition is dismissed.

Pronounced by me in Camp Court on the 20th day of August -2020.

Sd/-M.Thandavan,

Principal Sessions Judge (i/c.),Madurai.

Copy to

1. The Judicial Magistrate concerned