



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.**,
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

Crl.M.P.No.47/2024
(CNR No. TNRM-00-000048-2024)

1. Viswanathan, (aged 34),
S/o.Muniyasamy.

2. Navaneethan, (aged 29),
S/o.Muniyandi.

....Petitioners/Accused No.1,2

/vs/

State, through the Inspector of Police
Devipattinam P.S.,
Cr.No.89/2024.

...Respondent/Complainant

For Petitioners : Tr.V.Sunil Malhothra, B.Com. B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for Bail U/s.439 Cr.P.C.

The petitioners are the accused in Cr.No.89/2024 on the file of the respondent police for alleged offences U/s. 302 IPC seeks bail.

2. Heard both side and perused the records.

3. According to the prosecution that, the defacto complainant is a working partner in a private concerned. The deceased hails from a North - Indian State and he was working under the control of the defacto complainant



for the past 6 months. On the first day of the occurrence, the petitioners and the deceased were seen travelling in a two wheeler. Subsequently on the next day his dead body was lying in the occurrence place. Thereafter the case has been registered.

4. The learned Counsel for the petitioners would contend that, the petitioners have been falsely implicated in this case and they are in no-way connected with the offence. Further he has contended that the petitioners took the deceased in a two wheeler and the deceased fell down. Due to the fall, he sustained injuries and caused death. There is no motive or intention between the petitioners and the deceased. The petitioners were arrested on 12.03.2024 and they are in judicial custody. Material part of the witnesses have already been examined by the respondent police. Earlier bail application was dismissed by the Principal Sessions Court in CrI.M.P.No. 1240/2024 dated 25.04.2024. He would further submit that there is no possibility to tamper and hamper with the evidence. Hence he prays to grant bail to the petitioner.

5. The learned Public Prosecutor has contended that prior to the death of the deceased, the petitioners' were with the deceased. Thereafter the petitioners assaulted the deceased with fencing stones on his head and committed murder. The petitioners were arrested on 12.03.2024 and they are in



judicial custody. Further he has contended that weapons involved in this case have already been recovered. Investigation is not yet complete and Viscera report is yet to be received. One previous case is pending against the petitioners. Earlier bail application was dismissed on 25.04.2024. No change of circumstances from the earlier dismissal order.

6. It prima-facie appears to be a case of murder and case such on circumstantial evidence. Releasing the accused on bail may lead to tampering evidence. Considering the submissions made by the Counsel and facts and circumstances, the gravity of offence, the stage of investigation and period of custody , this court is not entitled to grant bail to the petitioners.

7. Accordingly the bail petition is stands dismissed.

Pronounced by me in open court, this the 09th day of May 2024.

**B C
GOPINATH**

Digitally signed by
B C GOPINATH
Date: 2024.05.09
19:56:50 +0530

Vacation Sessions Judge, I/c.
Ramanathapuram,
09.05.2024

Copy sent through e-mail:

To
The Public Prosecutor, Ramanathapuram,
The Inspector of Police, Devipattinam P.S., ,
The petitioners through their Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.22/2024
(CNR No. TNRM-00-000023-2024)

Jeyaguru, (aged 53),
S/o.Azhagar.

....Petitioner/Accused No.4

/vs/

State, through the Inspector of Police
Elanchempur P.S.,
Cr.No.47/2024

...Respondent/Complainant

For Petitioner : Tr.K.Muthuduraisamy, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for Bail U/s.439 Cr.P.C.

The petitioner, who is A4 in Cr.No.47/2024 on the file of the respondent police for alleged offences U/s. 294(b), 323, 324, 506(ii) and 307 @ U/s.147, 148, 294(b), 323, 324, 506(ii) and 307 IPC seeks bail.

2. Heard both side and perused the records.

3. According to the prosecution, the defacto complainant's sons were working as daily wagers using their JCB for fixing pipe line for Kaveri water



under the control of a Contractor named Kannan. On 16.04.2024 at about 1.00 p.m, the petitioner and others have demanded commission for doing the contract work from the contractor. When pipe line were fixed using JCB for Kaveri water by the defacto complainant's son the petitioner and others threatened him. After coming to know about this, the defacto complainant questioning them. So the petitioner and others abused him in obscene words and assaulted with sickle, iron rod and wooden log on his chest, shoulders, right thigh and caused injuries and tried to commit murder and consequently a case has been registered.

4. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. He would further contend that the petitioner is under judicial custody from 20.04.2024. The occurrence happened due to some money dispute in the contract between the defacto complainant's son and A1 Most of the investigation has been completed. Earlier bail application was dismissed by the Principal Sessions Court in CrI.M.P.No. 1707/2024 on 30.04.2024. Co-accused A5 has already been enlarged on bail by the Hon'ble Madurai Bench of Madras High Court in CrI.O.P. (MD) No.6868/2024 on 08.05.2024. He would further submit that there is no possibility to tamper with the evidence. Hence, he prays to grant bail to the petitioner.



5. The Learned Public Prosecutor would contend that there are totally 6 accused involved in this case. The petitioner is arrayed as A4. A1 to A3 have filed anticipatory bail before this Court. A5 has already been enlarged on bail by the Hon'ble Madurai Bench of Madras High Court in CrI.O.P.(MD) No.6868/2024 on 08.05.2024. On the date of occurrence the petitioner and others assaulted the defacto complainant with deadly weapons and caused injuries. The petitioner was arrested and remanded to judicial custody on 20.04.2024. Injured was discharged from hospital. 6 witnesses have already been examined. Other accused yet to be arrested. 2 previous cases are pending against the petitioner. Earlier bail application was dismissed by the Principal Sessions Court on 30.04.2024.

6. Considered the submissions made by the Counsel. Although co-accused was enlarged on bail by the Hon'ble Madurai Bench of Madras High Court, the petitioner is having previous cases. Considering the facts and circumstances, gravity of offence, period of custody and bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

TNRM000000232024



7. Accordingly the bail petition is stands dismissed.

Pronounced by me in open Court this the 09th day of May 2024.

**B C
GOPINATH**

Digitally signed
by B C
GOPINATH
Date: 2024.05.09
19:56:14 +0530

Vacation Sessions Judge, I/c
Ramanathapuram.
09.05.2024

Copy sent through e-mail:-

To
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Elanchempur P.S.,
The petitioner through his Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,
Vacation Sessions Judge, I/c.**
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

Crl.M.P.No.01/2024

(CNR No. TNRM-00-000015 -2024)

1. Karuppasamy, @ Sivan Ravi, (aged 24)
S/o.Muniasamy,
2. Umaiyasurya, (aged 22),
S/o.Veluchamy. ...Petitioners/Accused No.3, 4
/vs/
- State, through the Inspector of Polic
Bazaar P.S.,
in Cr.No.26/2024 ...Respondent/Complainant

For Petitioner : Tr.R.Premkumar, Advocate.

For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioners/accused who apprehend arrest for alleged offences U/s. 153,
504, 506(ii) IPC and section 67 of IT Act in Cr.No.26/2024 of the respondent P.S.,
seek Anticipatory Bail.

2. No representation for the petitioners. Hence this petition is dismissed for
non- prosecution.

TNRM000000152024



In the result, the petition is dismissed.

Pronounced by me in open Court this the 09th day of May 2024.

B C Digitally signed by
GOPINATH B C GOPINATH
Date: 2024.05.09
20:08:43 +0530
Vacation Sessions Judge, i/c.
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Bazaar P.S.,



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.74/2024
(CNR No. TNRM-00-000075-2024)

Murugan, (aged 40),
S/o.Velu.

....Petitioner/Accused No.3

/vs/

State, through the Inspector of Police
Elanchempur P.S.,
Cr.No.47/2024

...Respondent/Complainant

For Petitioner : Tr. V.Vilvadurai, Advocate.

For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for Anticipatory Bail U/s.438 Cr.P.C.

The petitioner, who is A3 in Cr.No.47/2024 on the file of the respondent police for alleged offences U/s. 294(b), 323, 324, 506(ii) and 307 @ U/s.147, 148, 294(b), 323, 324, 506(ii) and 307 IPC seeks anticipatory bail.

2. Heard both side and perused the records.

3. According to the prosecution, the defacto complainant's sons were working as daily wager using their JCB for fixing pipe line for Kaveri water



under the control of a Contractor named Kannan. On 16.04.2024 at about 1.00 p.m, the petitioner and others have demanded commission for doing the contract work from the contractor. When pipe line were fixed using JCB for Kaveri water by the defacto complainant's son the petitioner and others threatened him. After coming to know about this, the defacto complainant questioning them. So the petitioner and others abused him in obscene words and assaulted with sickle, iron rod and wooden log on his chest, shoulders, right thigh and caused injuries and tried to commit murder and consequently a case has been registered.

4. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. The occurrence happened due to some money dispute in the contract between the defacto complainant's son and A1. Most of the investigation has been completed. Earlier bail application was dismissed by the Principal Sessions Court in CrI.M.P.No. 1736/2024 on 30.04.2024. Co-accused A5 has already been enlarged on bail by the Hon'ble Madurai Bench of Madras High Court in CrI.O.P.(MD) No.6868/2024 on 08.05.2024. He would further submit that there is no possibility to tamper with the evidence. Hence, he prays to grant anticipatory bail to the petitioner.

5. The Learned Public Prosecutor would contend that there are 6 accused involved in this case. The petitioner is arrayed as A3. A1 and A2 have filed



anticipatory bail application and A4 has filed bail application before this Court . A5 has already been enlarged on bail by the Hon'ble Madurai Bench of Madras High Court in Crl.O.P.(MD) No.6868/2024 on 08.05.2024. A6 is still absconding. On the date of occurrence the petitioner and others assaulted the defacto complainant with deadly weapons and caused injuries. Injured was discharged from hospital. 6 witnesses have already been examined. Other accused yet to be arrested. 9 previous cases are pending against the 1st petitioner and his name is in History Sheet. Earlier bail application was dismissed by the Principal Sessions Court on 30.04.2024.

6. Considered the submissions made by the Counsel. Although co-accused was enlarged on bail by the Hon'ble Madurai Bench of Madras High Court, the petitioner is having previous cases. Considering the facts and circumstances , gravity of offence and bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly the bail petition is stands dismissed.

Pronounced by me in open Court this the 09th day of May 2024.

**B C
GOPINATH**

Digitally signed
by B C
GOPINATH
Date: 2024.05.09
19:57:20 +0530

Vacation Sessions Judge, I/c
Ramanathapuram.
09.05.2024

TNRM000000752024



Copy sent through e-mail:-

To
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Elanchempur P.S.,
The petitioner through his Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

**Present: Thiru. B.C.Gopinath, M.L.,
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.**

Thursday, the 09th day of May 2024

**CrI.M.P.No.60/2024
(CNR No. TNRM-00-000060-2024)**

1. Muruganandham, (aged 47),
S/o.Narayanan.

2. Maheswaran, (aged 23),
S/o.Muruganandham.

... Petitioners/Accused No.1,2

/vs/

State, through the Inspector of Police
Elanchempur P.S.,
Cr.No.47/2024

...Respondent/Complainant

For Petitioners : Tr.K.Muthuduraisamy, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for Anticipatory Bail U/s.438 Cr.P.C.

The petitioners are A1 and A2 in Cr.No.47/2024 on the file of the respondent police for alleged offences U/s. 294(b), 323, 324, 506(ii) and 307 @ U/s.147, 148, 294(b), 323, 324, 506(ii) and 307 IPC seek anticipatory bail.

2. Heard both side and perused the records.



3. According to the prosecution, the defacto complainant's sons were working as daily wagers using their JCB for fixing pipe line for Kaveri water under the control of a Contractor named Kannan. On 16.04.2024 at about 1.00 p.m, the petitioner and others have demanded commission for doing the contract work from the contractor. When pipe line were fixed using JCB for Kaveri water by the defacto complainant's son the petitioners and others threatened him. After coming to know about this, the defacto complainant questioning them. So the petitioner and others abused him in obscene words and assaulted with sickle, iron rod and wooden log on his chest, shoulders, right thigh and caused injuries and tried to commit murder and consequently a case has been registered.

4. The Learned Counsel for the petitioners would contend that the petitioners are innocent and has been falsely implicated in the above case. The occurrence happened due to some money dispute in the contract between the defacto complainant's son and A1. Most of the investigation has been completed. Earlier bail application was dismissed by the Principal Sessions Court in CrI.M.P.No. 1734/2024 on 30.04.2024. Co-accused A5 has already been enlarged on bail by the Hon'ble Madurai Bench of Madras High Court in CrI.O.P. (MD) No.6868/2024 on 08.05.2024. He would further submit that there is no possibility to tamper with the evidence. Hence, they prays to grant anticipatory



bail to the petitioner.

5. The Learned Public Prosecutor would contend that there are 6 accused involved in this case. The petitioners are arrayed as A1 and A2. A3 has filed anticipatory bail application and A4 has filed bail application before this Court. A5 has already been enlarged on bail by the Hon'ble Madurai Bench of Madras High Court in CrI.O.P.(MD) No.6868/2024 on 08.05.2024. A6 still absconding. On the date of occurrence the petitioners and others assaulted the defacto complainant with deadly weapons and caused injuries. Injured was discharged from hospital. 6 witnesses have already been examined. Other accused yet to be arrested. 8 previous cases are pending against the 1st petitioner and 3 previous cases are pending against the 2nd petitioner. Earlier bail application was dismissed by the Principal Sessions Court on 30.04.2024.

6. Considered the submissions made by the Counsel. Although co-accused was enlarged on bail by the Hon'ble Madurai Bench of Madras High Court, the petitioners are having previous cases. Considering the facts and circumstances, gravity of offence and bad antecedents of the petitioners, this Court is not inclined to grant bail to the petitioners.

TNRM000000602024



7. Accordingly the bail petition is stands dismissed.

Pronounced by me in open Court this the 09th day of May 2024.

B C
GOPINATH
Digitally signed
by B C
GOPINATH
Date: 2024.05.09
19:57:03 +0530
Vacation Sessions Judge, I/c
Ramanathapuram.
09.05.2024

Copy sent through e-mail:-

To
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Elanchempur P.S.,
The petitioner through his Counsel.

TNRM000000042024



IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL SESSIONS COURT) RAMANATHAPURAM.

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge I/c,
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal District and Sessions Judge, (I/c)
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.13/2024
(CNR No. TNRM-00-000004-2024)

Albert Reegan, (aged 21/2024)
Vedhamuthu.

...Petitioner/Accused No.2

/vs/

State, through the Inspector of Police,
Paramakudi Taluk P.S.,
Cr.No.106/2024

...Respondent/Complainant

For Petitioner : Tr.S.J.Sheik Ibrahim, M.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioner/accused who apprehends arrest for alleged offences U/s.143, 294(b), 323, 324, 506(ii) IPC in Cr.No.145/2024 of respondent police seeks Anticipatory Bail.

2. According to the prosecution, on 22.04.2024 at about 3.00 p.m. when the



defacto complainant and his friends went to worship in a temple, the petitioner and others came there in two bikes and the petitioner abused the defacto complainant in filthy language and A2 assaulted with beer bottle on his stomach and on his back and petitioner and others assaulted using hands and caused injuries and also threatened him with dire consequences.

3. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. Further he has contended that the injured has been discharged from the hospital. He would further submit that A3 was granted anticipatory bail by the Hon'ble High Court in CrI.(OP). No.6935/2024 on 08.05.2024. A1 was granted an anticipatory bail by the Principal Sessions Court in CrI.M.P.No.1819/2024 on 30.04.2024. Most of the investigation has been completed. Therefore he prays for anticipatory bail stating that he will not tamper the witnesses and abscond.

4. The learned Public Prosecutor has contended that totally 3 accused involved in this case. The petitioner is arrayed as A2. A3 was granted an anticipatory bail by the Hon'ble High Court in CrI.(OP).No.6935/2024 on 08.05.2024. A1 was also granted anticipatory bail by the Principal Sessions Court in CrI.M.P.No.1819/2024 on 30.04.2024. Further he has contended that on the date of occurrence, the petitioner assaulted the defacto complainant with beer bottle and others assaulted with hands



and caused injuries. The injured has already been discharged from the hospital on 24.04.2024. Material witnesses have already been examined. No previous case is pending against the petitioner.

5. Considering the submissions made by the Counsel and facts and circumstances of the case, release of all the co-accused and stage of investigation, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate, Paramakudi** on executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 15 days from the date of this order, failing which the order shall stand cancelled automatically. Further the petitioner shall adhere to the following conditions:-

i) that the petitioner shall make himself available for interrogation by a police officer as and when required,

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the court or to any police



officer,

iii) that the petitioner shall appear before the Investigating Officer, everyday at 10.30 a.m until further orders;

iv) that the petitioner shall not abscond either during the investigation or trial.

7. On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with Law as if the conditions have been imposed and the petitioner enlarged on anticipatory 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).

8. If the petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court this the 09th day of May 2024.

B C
GOPINATH

Digitally signed by
B C GOPINATH
Date: 2024.05.09
20:34:03 +0530

Vacation Sessions Judge, (I/c)
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The Judicial Magistrate, Paramakudi.
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Paramakudi Taluk P.S.,
The Petitioner through his Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal District and Sessions Judge, (I/c)
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.66/2024
(CNR No. TNRM-00-000068-2024

1. Maruthapandian, (aged 23) (A5)
S/o.Kizhavan.

2. Lakshmanan, (aged 29) (A6)
S/o.Muniasamy.

...Petitioners/Accused

/vs/

State, through the Inspector of Police,
Sayalkudi P.S.,
Cr.No.127/2024

...Respondent/Complainant

For Petitioners : Tr.K.Muthuduraisamy, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioners/accused who apprehends arrest for alleged offences U/s.143,
294(b), 323, 324, 506(ii) IPC in Cr.No.127/2024 of respondent police seeks
Anticipatory Bail.



2. Heard both side and perused the records.

3. According to the prosecution, on 19.04.2024 at about 3.00 p.m. when the defacto complainant's brother came to home in a bike, A1 dashed his bike due to previous enmity. The defacto complainant questioned the act to A1. The other accused came there and abused the defacto complainant with filthy language and A2 assaulted him with a stone on his forehead and A1 and A3 assaulted him with wooden log and caused injuries and also threatened him with dire consequences.

4. The Learned Counsel for the petitioners would contend that the petitioners are innocent and have been falsely implicated in the above case. He would further contend that there is a previous enmity between both parties. The injured has been discharged from hospital. He would further submit that earlier bail application was dismissed by Principal Sessions Court, Ramanathapuram in CrI.M.P.No.1820/2024 on 30.04.2024 and most of the investigation has been completed. Therefore he prays for anticipatory bail stating that they will not tamper the witnesses and abscond.

5. The Learned Public Prosecutor would submit that totally 6 accused involved in this case. The petitioners are A5 and A6. On 19.04.2024 at about 3.00 p.m. when the defacto complainant's brother came to home in bike, A1 dashed his bike due to



some previous enmity. When A1 was questioned by the defacto complainant, the other accused came there and abused him with filthy language and A2 assaulted him with a stone on his forehead and A1 and A3 assaulted with a wooden log and caused injuries. He would further submit that the injured has been discharged from hospital on 03.05.2024 and earlier bail application was dismissed by the Principal Sessions Court, Ramanathapuram in CrI.M.P.No.1820/2024 on 30.04.2024. Now, and major part of the investigation has already been completed. One previous case is pending against the petitioners.

6. Considering the submissions made by the counsel and facts and circumstances of the case, that the injured has been discharged and that substantial investigating is over, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on his appearance before the learned **District Munsif-cum-Judicial Magistrate, Kadaladi** on executing a bond for Rs.10,000/- each with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 15 days from the date of this order, failing which the order shall stand cancelled automatically. Further the petitioners shall adhere to the following conditions:-



i) that the petitioners shall make themselves available for interrogation by a police officer as and when required,

ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the court or to any police officer,

iii) that the petitioners shall appear before the respondent police everyday at 10.30 a.m until further orders;

iv) that the petitioners shall not abscond either during the investigation or trial.

8. 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 enlarged on anticipatory 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).

9. If the petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

TNRM000000062024



Pronounced by me in open Court this the 09th day of May 2024.

**B C
GOPINATH**

Digitally signed by
B C GOPINATH
Date: 2024.05.09
20:35:43 +0530

Vacation Sessions Judge, (I/c)
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The District Munsif-cum-Judicial Magistrate, Kadaladi.
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Sayalkudi P.S.,
The Petitioners through their Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal District and Sessions Judge, (I/c)
Ramanathapuram.

Thursday, the 09th day of May 2024
Cr.I.M.P.No.14/2024
(CNR No. TNRM-00-000006-2024)

Muneeswaran, (aged 19) (A4)
S/o.Murugan

...Petitioner/Accused

/vs/

State, through the Inspector of Police,
Sayalkudi P.S.,
Cr.No.127/2024

...Respondent/Complainant

For Petitioner : Tr.T.M.Arunkannan, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioner/accused who apprehends arrest for alleged offences U/s.143,
294(b), 323, 324, 506(ii) IPC in Cr.No.127/2024 of respondent police seeks
Anticipatory Bail.

2. Heard both side and perused the records.



3. According to the prosecution, on 19.04.2024 at about 3.00 p.m. when the defacto complainant's brother came to home in a bike, A1 dashed his bike due to previous enmity. The defacto complainant questioned the act to A1. The other accused came there and abused the defacto complainant with filthy language and A2 assaulted him with a stone on his forehead and A1 and A3 assaulted him with wooden log and caused injuries and also threatened him with dire consequences.

4. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. He would further contend that there is a previous enmity between both the parties. The injured has been discharged from hospital. He would further submit that earlier bail application was dismissed by the Principal Session Court, Ramanathapuram in CrI.M.P.No.1820/2024 on 30.04.2024 and most of the investigation has been completed. Therefore he prays for anticipatory bail stating that he will not tamper the witnesses and abscond.

5. The Learned Public Prosecutor would submit that totally 6 accused involved in this case. The petitioner is A4. On 19.04.2024 at about 3.00 p.m. when the defacto complainant's brother came to home in bike, A1 dashed his bike due to some previous enmity. When A1 was questioned by the defacto complainant, the other accused came there and abused him with filthy language and A2 assaulted him



with a stone on his forehead and A1 and A3 assaulted with a wooden log and caused injuries. He would further submit that the injured has been discharged from hospital on 03.05.2024 and earlier bail application was dismissed by the Principal District Court, Ramanathapuram in CrI.M.P.No.1820/2024 on 30.04.2024. Now, major part of the investigation has already been completed. One previous case is pending against the petitioner.

6. Considering the submissions made by the counsel and facts and circumstances of the case, that the injured has been discharged and that substantial investigating is over, this cCourt is inclined to grant anticipatory bail to the petitioner.

7. Accordingly the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance before the learned **District Munsif-cum-Judicial Magistrate, Kadaladi** on executing a bond for Rs.10,000/- each with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 15 days from the date of this order, failing which the order shall stand cancelled automatically. Further the petitioner shall adhere to the following conditions:-

i) that the petitioner shall make himself available for interrogation by a police officer as and when required,



ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the court or to any police officer,

iii) that the petitioner shall appear before the respondent police everyday at 10.30 a.m until further orders;

iv) that the petitioner shall not abscond either during the investigation or trial.

8. On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with Law as if the conditions have been imposed and the petitioner enlarged on anticipatory 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).

9. If the petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court this the 09th day of May 2024.

**B C
GOPINATH** Digitally signed by
B C GOPINATH
Date: 2024.05.09
20:34:23 +0530

Vacation Sessions Judge, (I/c)
Ramanathapuram.
09.05.2024

TNRM000000062024



Copy sent through e-mail:

To

The District Munsif-cum-Judicial Magistrate, Kadaladi.

The Public Prosecutor, Ramanathapuram.

The Inspector of Police, Sayalkudi P.S.,

The Petitioner through his Counsel.



IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL SESSIONS COURT) RAMANATHAPURAM.

Present: **Thiru. B.C.Gopinath, M.L.,
Vacation Sessions Judge, I/c.**
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal District and Sessions Judge, (I/c)
Ramanathapuram.

Thursday, the 09th day of May 2024

Crl.M.P.No.73/2024
(CNR No. TNRM-00-000074-2024)

John Dinesh, (aged 45/2024)
S/o.Micheal.

...Petitioner/Accused

/vs/

State, through the Inspector of Police,
Pamban P.S.,
Cr.No.76/2024

...Respondent/Complainant

For Petitioner : Tr.R.Dominic Ravi, B.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioner/accused who apprehends arrest for alleged offences U/s.294(b), 323, 506(ii) IPC in Cr.No.76/2024 of respondent police seeks Anticipatory Bail.

2. Heard both side and perused the records.

3. According to the prosecution, on 07.04.2024 at 9.00. p.m. when the defacto complainant and his friend were proceeding in a two wheeler, the petitioner and



others were standing in the occurrence place. At that time, the defacto complainant's friend stopped the vehicle and asked if they want help and the petitioner and others abused them in filthy language and assaulted with hands and broke a tooth of defacto complainant and caused injuries and also threatened them with dire consequences.

4. The Learned Counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the above case. He would further contend that the injured was treated as out patient. He would further submit that most of the investigation has been completed. Therefore he prays for anticipatory bail stating that he will not tamper the witnesses and abscond.

5. The Learned Public Prosecutor would submit that on 07.04.2024 at 9.00. p.m. the petitioner and others abused the defacto complainant in filthy language and assaulted with hands and broke a tooth of defacto complainant and caused injuries. The injured was treated as out patient and major part of the investigation has already been completed. No previous case is pending against the petitioner.

6. Considering the submissions made by the Counsel and facts and circumstances of the case and that substantial investigation is over, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance before the learned



District Munsif-cum-Judicial Magistrate, Rameswaram on executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 30 days from the date of this order, failing which the order shall stand cancelled automatically. Further the petitioner shall adhere to the following conditions:-

i) that the petitioner shall make himself available for interrogation by a police officer as and when required,

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the court or to any police officer,

iii) that the petitioner shall appear before the Investigating Officer, everyday at 10.30 a.m until further orders;

iv) that the petitioner shall not abscond either during the investigation or trial.

8. On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with Law as if the conditions have been imposed and the petitioner enlarged on anticipatory 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).

TNRM000000742024



9. If the petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court this the 09th day of May 2024.

**B C
GOPINATH** Digitally signed by
B C GOPINATH
Date: 2024.05.09
20:35:58 +0530
Vacation Sessions Judge, (I/c)
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The District Munsif-cum-Judicial Magistrate, Rameswaram.
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Pamban P.S.,
The Petitioner through his Counsel.



**IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL
SESSIONS COURT) RAMANATHAPURAM.**

Present: **Thiru. B.C.Gopinath, M.L.,**
Vacation Sessions Judge, I/c.
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.5/2024
(CNR No. TNRM-00-000012-2024)

1. Ajith @ Ajithkumar, (aged 26/2024),
S/o.Marudhan.

2. Kirubakaran, (aged 20/2024),
S/o.Malaikannan.

...Petitioners/Accused No.1, 2

/vs/

State, through the Inspector of Police,
Bazaar P.S., Ramanathapuram.

Cr.No.114/2024

...Respondent/Complainant

For Petitioners : Tr.M.Abdul Halid, M.A., B.L., Advocate.
For Respondent : Tr.B.Karthikeyan, B.A., B.L., Public Prosecutor.

ORDER

This is a petition for anticipatory bail U/s.438 Cr.P.C.

The petitioners/accused who apprehend arrest for alleged offences
U/s.294(b), 323, 324 and 506(ii) IPC of Bazaar P.S. seeks Anticipatory Bail.

2. Heard both side and perused the records.

3. According to the prosecution, on 08.04.2024 A1 came to the defacto



complainant's shop at 7.00 p.m. and purchased a Cigarette and refused to pay for it. Then he came and purchased a match box when the defacto complainant asked money, he threatened him and came back at 9.30 p.m. with A2 and abused in obscene language. A1 and A2 pushed the things inside the shop. Then both assaulted with hand and legs and A2 assaulted with a wooden stick on his head. A1 tried to assault with a stone and caused injuries. Thereafter the case has been registered.

4. The Learned Counsel for the petitioners would contend that the petitioners are innocent and have been falsely implicated in the above case. He would further contend that injured has been discharged from the hospital and major part of the investigation has been completed. He would further contend that no previous case is pending against the petitioners. Therefore they pray for anticipatory bail stating that they will not tamper the witnesses and abscond.

5. The Learned Public Prosecutor would submit that on 08.04.2024 A1 came to the defacto complainant's shop at 7.00 p.m. and purchased a Cigarette and refused to pay for it. Then he came and purchased a match box when the defacto complainant asked money, he threatened him and came back at 9.30 p.m. with A2 and abused in obscene language. A1 and A2 pushed the things inside the shop. Then both assaulted with hand and legs and A2 assaulted with a wooden stick on his head. A1 tried to assault with a stone and caused injuries. The injured has been discharged from the hospital on 10.04.2024. 3 previous cases are pending against both the



petitioners. Major part of the investigation has already been completed. 3 previous cases are pending against both the petitioners.

6. Considering the above facts and circumstances, nature of offence and that the injured has been discharged, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly the petitioners are granted anticipatory bail and they are ordered to be released on anticipatory bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.I, Ramanathapuram** on executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate concerned within 15 days from the date of this order, failing which the order shall stand cancelled automatically. Further the petitioners shall adhere to the following conditions:-

i) that the petitioners shall make themselves available for interrogation by a police officer as and when required,

ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the court or to any police officer,

iii) that the petitioners shall appear before the **Inspector of Police, Sayalkudi everyday at 10.30 a.m until further orders,**



iv) that the petitioners shall not abscond either during the investigation or trial,

8. 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 enlarged on anticipatory 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).

9. If the petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court this the 09th day of May 2024.

B C Digitally signed by
GOPINATH B C GOPINATH
Date: 2024.05.09
20:34:36 +0530

Vacation Sessions Judge, I/c.
Ramanathapuram.
09.05.2024

Copy sent through e-mail:

To
The Judicial Magistrate No.I, Ramanathapuram,
The Public Prosecutor, Ramanathapuram.
The Inspector of Police, Sayalkudi P.S.
The Inspector of Police, Bazaar P.S., Ramanathapuram.
The petitioner through his Counsel.



IN THE COURT OF VACATION SESSIONS JUDGE, (PRINCIPAL SESSIONS COURT) RAMANATHAPURAM.

Present: **Thiru.B.C.Gopinath,M.L.,**
Vacation Sessions Judge(i/c)
Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court,
Principal Sessions Judge(i/c)
Ramanathapuram.

Thursday, the 09th day of May 2024

CrI.M.P.No.86/2024
(CNR No.TNRM 00-000100-2024)

Aniket (aged 36/2023)
S/o.Rambharos Salunke.

...Petitioner/ Accused

/vs/

State through the Inspector of Police,
Paramakudi Town P.S.,
Cr.No.128/2018

...Respondent/Complainant

For petitioner : Thiru. R.Balaji, M.Com., L.L.B., Advocate.
For Respondent : Thiru.B.Karthikeyan, B.A., B.L., Public Prosecutor.

PETITION FOR MODIFICATION OF CONDITION U/S.439(1)(b) OF Cr.P.C.

ORDER

This is a petition u/s.439(1)(b) to modify the condition imposed by the learned Judicial Magistrate, Paramakudi while granting bail to the petitioner in Cr.No.128/2018.

2. According to the petitioner, the petitioner is allegedly involved in the commission of offences u/s.451, 342, 392 r/w 397 and he was arrested on 28.02.2024



and remanded to judicial custody. He allegedly committed robbery of jewels, mobile phones and other household articles. The learned Judicial Magistrate has granted statutory bail u/s.167(2) Cr.P.C. in CrI.M.P.No.3090/2024 dated 02.05.2024. While granting statutory bail the learned Judicial Magistrate has imposed condition that two sureties for Rs.25,000/- execute a bond for the petitioners appearance and one of the surety should be a blood surety and other surety should be a person in Government Employment.

3. The learned counsel for the petitioner has submitted that the petitioner belongs to a very poor family and he is residing at Aurangabad in Maharashtra State. Therefore he cannot produce any sureties who are Government Employees. Therefore he would support that the condition that one surety should be a Government Employee may be modified and substituted with two blood sureties or the like.

4. The learned Public Prosecutor has contended that the petitioner was apprehended after a long time and he has committed serious offence of robbery and it would be difficult in secure him if he is released on bail.

5. There is no dispute over the fact that the petitioner was remanded judicial custody on 28.02.2024 and he has been judicial custody for the past 60 days. A period of 60 days has lapsed and respondent has not filed final report u/s.173(2). It is trite law that statutory bail is an infeasible right available to an accused and



imposing onerous condition which would have the effect of defeating the provision should not be imposed. However, the learned Judicial Magistrate has imposed one difficult condition that one surety should be a Government Employee. This condition could have been avoided.

The learned Magistrate himself could have modified the condition as laid down in 2002 CrI.C.J.1362 that power to modify flows from Section 437(5) of Cr.P.C. However, it is submitted that he did not want to interfere with his own order. Therefore this court is inclined to modify the condition u/s.439(1)(b). Accordingly, the 1st condition is modified to the effect that the petitioner shall produce two sureties with sufficient solvencies who are permanent residents of Paramakudi Taluk and shall produce documents in support of their solvency. In all other aspects, the order passed by the learned Judicial Magistrate holds good. The petition is ordered accordingly.

In the result, the petition is partly allowed.

Pronounced by me in open Court on this the 09th day of May 2024.

**B C
GOPINATH**

Digitally signed by
B C GOPINATH
Date: 2024.05.09
20:36:17 +0530

Vacation Sessions Judge(i/c)
Ramanathapuram.
09.05.2024

TNRM000001002024



Copy sent through e-mail:

To
The Judicial Magistrate, Paramakudi.
The Public Prosecutor, Ramanathapuram,
The Inspector of Police, Paramakudi Town P.S.,
The Petitioner through his Counsel.