



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

Thursday, the Eighteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11067 of 2015

ESWARAN @ ESWARAMOORTHY

... PETITIONER/ ACCUSED No.2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

CR. NO. 41 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

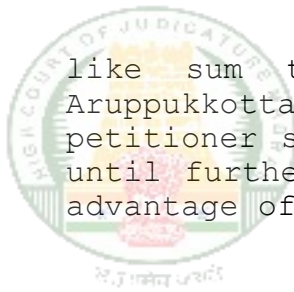
The petitioner, who is arrayed as accused No.2 in Crime No.41 of 2015 on the file of the respondent police was arrested and remanded to judicial custody on 04.05.2015 for the alleged offences punishable under Sections 294(b), 323, 324 & 506(ii) IPC r/w Section 3(1)(r)(s), 3(2)(va) SC/ST Amendment Ordinance Act and hence, seeks bail.

2.The case of the prosecution is that on 03.05.2015 due to previous enmity the first accused attacked the injured with spade on his head and the second accused attacked the injured with a stick on his backside.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody for more than 45 days and major part of the investigation is over.

4. The learned Government Advocate (crl. side) appearing for the respondent police submitted that the injured is still in hospital and the first accused is absconding.

5. However, considering the fact that the petitioner has attacked with stick on the back side of the injured and taking into consideration that he is in judicial custody for more than 45 days, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a



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like sum to the satisfaction of the learned Judicial Magistrate, Aruppukkottai, Virudhunagar District and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. It is made clear that the first accused cannot take advantage of this order passed in this case.

sd/-
18/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKKOTTAI, VIRUDHUNAGAR DISTRICT.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.
 5. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- +1. CC to M/S.K.J.ASSOCIATES Advocate SR.No. 31724.

TS/18.06.2015/2P -7C

ORDER
IN
CRL OP(MD) No.11067 of 2015
Date :18/06/2015