



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

Wednesday, the Eleventh day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2153 of 2015

JAYAPRAKASH NARAYANAN

... PETITIONER/ACCUSED

Vs

THE INSPECTOR OF POLICE
REDDIYARCHATHIRAM POLICE STATION,
REDDIYARCHATHIRAM, DINDIGUL DISTRICT.
(CR.NO.4 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.VIDYA Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who was arrested and remanded to judicial custody on 10.01.2015 for the offence punishable under Sections 304(II) and 341 IPC in Crime No.4 of 2015 on the file of the respondent police, seeks bail.

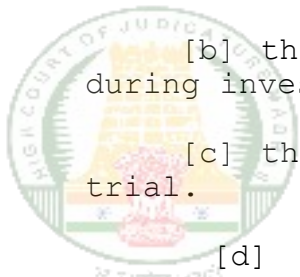
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. It is seen that this petitioner and the deceased by name Ponram were neighbours and there was a land dispute between them. It is alleged that on 28.01.2015, a quarrel ensued and the petitioner assaulted the deceased with wooden stick. Thereafter the deceased was taking treatment and ultimately, he died on 06.01.2015. Initially, a case under Section 174 Cr.P.C. was registered and after postmortem report, the case was altered into one under Sections 304(II) and 341 IPC on 08.01.2015. This petitioner was arrested on 10.01.2015 and he is in incarceration since then.

4. It is represented that there is no previous case as against the petitioner. Taking into consideration the facts and circumstances, this Court is of the opinion that this is a fit case to grant bail to the petitioner, but with conditions.

4. 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 like sum to the satisfaction of the learned Judicial Magistrate, Oddanchathiram, and on further condition that:

[a] the petitioner shall report before the respondent police everyday for a period of two weeks and thereafter as and when required for interrogation.



[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 released on 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].

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-
11/03/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ODDANCHATHIRAM.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.
4. THE INSPECTOR OF POLICE
REDDIYARCHATHIRAM POLICE STATION,
REDDIYARCHATHIRAM, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.VIDYA Advocate SR.No. 11748

SR : 12.03.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.2153 of 2015
Date :11/03/2015