



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

Tuesday, the First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22716 of 2015

L.SHANMUGA VIGNESH

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
THALAMUTHU NAGAR POLICE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO.678 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate
For Respondent : MR.K.ANBARASAN,
Govt. Advocate (Crl. Side)

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

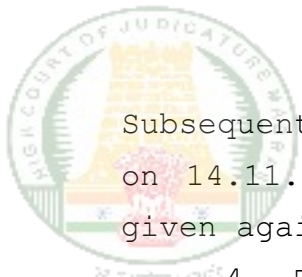
ORDER : The Court Made the following order :-

The petitioner, who is the sole accused, in Crime No.678 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 17.11.2015 for the alleged offences punishable under Sections 294(b), 332, 307 and 506(ii) of IPC and hence, seeks bail.

2. The case of the prosecution is that on 10.11.2015, the petitioner and others have involved in a quarrel nearby Santhana Mariamman Temple, at that time, the de facto complainant viz., Subbiah came to the place of occurrence and while preventing the petitioner, the accused persons obstructed them from discharging their official duty and abused him in filthy language and ran away from the scene of occurrence.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the de facto complainant who is working in the respondent police have trespassed into the house of the accused and brutally attacked the petitioner and caused injuries

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and the petitioner was admitted in the Government Medical College Hospital, Thoothukudi and taken treatment for the injury.



Subsequently, he gave a complaint before the Superintendant of Police on 14.11.2015. As a counter case, the present complaint has been given against the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner has involved in four previous cases. He would further submit that if the petitioner is enlarged on bail he will tamper the evidence and hamper the investigation and hence, he strongly objected to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact this is a case and counter case, 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 like sum to the satisfaction of the learned Judicial Magistrate-II, Thoothukudi and on further condition that the petitioner shall stay at Madurai and report before the Madurai Town Police Station daily at 10.00 am until further orders.

sd/-
01/12/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER-IN-CHARGE, BORSTAL SCHOOL, NANGUNERI.
- 5 THE INSPECTOR OF POLICE
THALAMUTHU NAGAR POLICE STATION, THOOTHUKUDI DISTRICT.
- 6 THE INSPECTOR OF POLICE,
MADURAI TOWN POLICE STATION, MADURAI.

+1. CC to M/S V.SASIKUMAR Advocate SR.No.68700

akm/01.12.2015 /2p-8c/

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ORDER
IN
CRL OP(MD) No.22716 of 2015
Date :01/12/2015