



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23270 of 2015

KARUPPANNAN

...PETITIONER/ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NATHAM POLICE STATION.
(CRIME NO. 370 OF 2010)

...RESPONDENT/COMPLAINANT

For Petitioner : M/S J.ANANDKUMAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

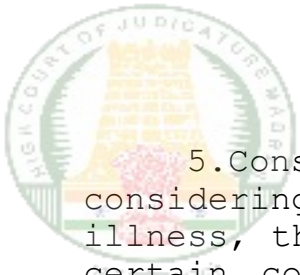
ORDER : The Court Made the following order :-

The petitioner/second accused was arrested and remanded to judicial custody on 23.11.2015 for the alleged offences punishable under(*)**Sections 341, 324 and 307 of IPC and Section 3(1)(x) and 3(2)(v) of SC & ST Prevention of Atrocities Act** in Crime No.370 of 2010 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 8.10.2010 the accused persons entered into the field of the defacto complainant and threatened the defacto complainant and her husband by abusing their caste's name

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence and due to land dispute between the petitioner and the defacto complainant, a false case has been foisted and charge sheet has been filed and the same was taken on file in S.C.No.137 of 2011 and pending trial. The petitioner could not appear on 13.06.2015 due to smallpox and therefore, the court below issued Non Bailable Warrant. Since the application to re-call warrant was dismissed by the court below, the petitioner was remanded to judicial custody on 23.11.2015.

4.The learned Government Advocate(Crl.side) submitted that the petitioner did not appear before the court and hence, Non Bailable Warrant has been issued on 13.06.2015 and subsequently, the petitioner has filed a re-call warrant petition and the same was also dismissed and hence, the petitioner was remanded to judicial custody on 23.11.2015.



5. Considering the facts and circumstances of the case and considering the fact that the petitioner did not appear due to his illness, 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, Natham, and on further condition that the petitioner shall appear before the concerned court regularly.

sd/-
08/12/2015

/ TRUE COPY /

**(*) Amended as per order dated.18.12.2015
and made in MP(MD)No.1/2015 in
Crl.OP(MD)No.23270/2015.**

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

TO

(*) To be substituted order already despatched.

- 1 THE JUDICIAL MAGISTRATE, NATHAM.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE,
NATHAM POLICE STATION.
- 5 THE OFFICERS INCHARGE,
SUB - JAIL, DINDIGUL.

+1. CC to M/S J.ANANDKUMAR Advocate SR.No.72639

ORDER IN
CRL OP(MD) No.23270 of 2015
Date :08/12/2015

RG.NGM-SS/SAR-I 08/12/2015 2P/7C
PBK/SK-SKN/SAR-I 21/12/2015 ::2P-7C::