



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

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24471 of 2015

SAHUL HAMEED

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
D1 TALLAKULAM POLICE STATION,
MADURAI CITY.
(REF.CRIME NO. 1328/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.MURALI 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 was arrested and remanded to judicial custody on 23.11.2015, for the offences punishable under Sections 294(b), 341, 307 and 506(ii) of the Indian Penal Code, in Crime No.1328 of 2015, on the file of the respondent police, seeks bail.

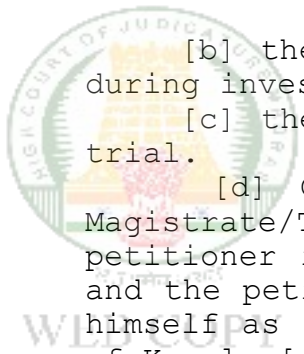
2. The case of the prosecution is that due to previous enmity, there was a quarrel between the defacto complainant and the petitioner. At that time, the petitioner stabbed the defacto complainant indiscriminately with a knife.

3.The learned counsel for the petitioner submitted that at the time of occurrence, the defacto complainant and his friends tried to attack the petitioner and in order to save his life, the petitioner attacked them. He would further submit that the injured had already been discharged from hospital.

4. The learned Government Advocate(Crl.side) would submit that the petitioner has no previous case and the injured had been discharged from hospital.

5. Taking into consideration the overall facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. 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
Services Courts, Madurai, No.II, Madurai and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.



[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].

6.The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-

21/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI
2 DO THRO THE CHEIF JUDICIAL MAGISTRATE, MADURAI
3 THE OFFICER INCHARGE,BOSTRAL SCHOOL, MELUR
4 THE INSPECTOR OF POLICE, D1 TALLAKULAM POLICE STATION,MADURAI CITY.
5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
+1. CC to M/S M.MURALI Advocate SR.No.75566.

ORDER

IN

CRL OP(MD) No.24471 of 2015

Date :21/12/2015

AM/21.12.2015/SK.SKN/SAR-I/2P/7C