



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

Friday, the Twenty Seventh day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2870 of 2015

WEB COPY

SUBASH @ NICHOLAS SUBASH CHANDRABOSS, ... PETITIONER/ACCUSED

JOSEPH MARY OLIARASI ... INTERVENER

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
THARVAIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO.17/2015.

... RESPONDENT/COMPLAINANT (

For Petitioner : M/S.S.R.A.RAMACHANDRAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

For Intervener : MR.V.MUTHUKAMATCHI, Advocate

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

ORDER : The Court Made the following order :-

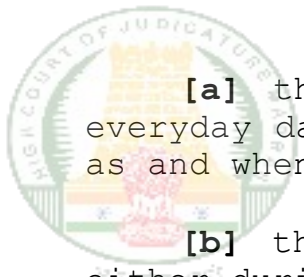
The petitioners, who was arrested and remanded to judicial custody on 05.02.2015 for the offence punishable under Sections 448, 294(b), 307 and 506(i) IPC in Crime No.17 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to quarrel between the petitioner and the de-facto complainant, the petitioner has attacked the de-facto complainant.

3. The learned counsel for the intervenor very strongly objected to the grant of bail to the petitioner.

4. The learned Government Advocate (crl. Side) submits that no one sustained injuries in the alleged occurrence and there is no previous case as against the petitioner. Since the petitioner is in incarceration since 05.02.2015, this Court is inclined to grant bail to him, but with conditions.

5. 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, Vilathikulam, Thoothukudi District, and on further condition that:



[a] the petitioner shall report before the respondent police everyday daily at 6.30p.m. 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 these petitioner is complying with the condition or not.

sd/-
27/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM
- 2 -DO-THRO'THE JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE THARVAIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE OFFICER-IN-CHARGE SUB-JAIL, SRIVAIKUNDRAM
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.R.A.RAMACHANDRAN Advocate SR.No.9248

ORDER
IN
CRL OP(MD) No.2870 of 2015
Date :27/02/2015