



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

Tuesday, the Thirty First day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.4861 of 2015

WEB COPY

K.CHINNASAMY

... PETITIONER(S) / ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
USILAMPATTI TALUK POLICE STATION,
MADURAI DT.
(CR.NO. 45 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SENGUTTUARASAN 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 :-

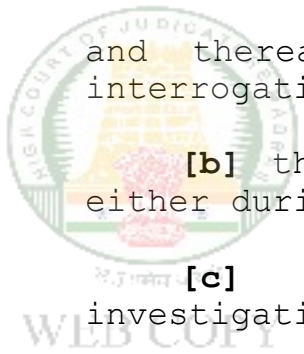
The petitioner, who was arrested and remanded to judicial custody on 05.03.2015 for the offences punishable under Sections 294 (B), 323, 353 and 307 IPC r/w 3(1)(r), 3(1)(s) of SC/ST (PA) Act, amended by No.1 of 2014 and 379 IPC r/w 21(1)(V) of MMD Act, in Crime No.45 of 2015, on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner was arrested on 05.03.2015 and the injured has been discharged from the hospital.

3. The learned Government Advocate (Criminal side) represents that there are three previous cases against the petitioner, out of which, one previous case, namely Crime No.303 of 2012 was settled between the parties before the Lok Adalat on 23.11.2013. As regards the other two cases, the offences are minor offences.

4. Under such circumstances, I am of the view that it is a fit case to grant bail to this 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 Judicial Magistrate No.I, Usilampatti, and on further condition that:

[a] the petitioner shall stay at Periyakulam and report before the thenkara Police Station, twice a day daily at 10.30 a.m., in the morning and 06.30 p.m., in the evening for a period of two weeks



and thereafter, as and when required by the respondent 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, Thenkarai Police Station, is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
31/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, USILAMPATTI
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE THENI DISTRICT
- 3 THE INSPECTOR OF POLICE USILAMPATTI TALUK POLICE STATION,
MADURAI DT.
- 4 THE INSPECTOR OF POLICE THENKARAI POLICE STATION, PERIYAKULAM
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.SENGUTTUARASAN Advocate SR.No.15859

ORDER
IN
CRL OP(MD) No.4861 of 2015
Date :31/03/2015

NA/31/03/2015/P2/7C