



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Wednesday, the First day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5409 of 2015

WEB COPY

MUTHUVEL

... PETITIONER/ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ARALVOIMOZHI POLICE STATION,
KANYAKUMARI DISTRICT.
CR. NO. 65/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.PALANIVELAYUTHAM Advocate

For Respondent : M/S.A.P.BALASUBRAMANI
Government 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 09.03.2015, for the offence punishable under Sections 294 (b), 506(ii) and 307 of the Indian Penal Code, in Crime No.65 of 2015, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant, who is his friend and this petitioner is alleged to have attacked the defacto Complainant on 05.03.2015. It is represented by the learned Government Advocate (Crl.Side) that the injured has been discharged from the hospital and there is no previous case against this petitioner.

3. In such circumstances, 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 Judicial Magistrate, Poothapandi, Kanyakumari District and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30 p.m. for a period of four 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]**.

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/-
01/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, POOTHAPANDI, KANYAKUMARI DISTRICT
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE ARALVOIMOZHI POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE OFFICER-IN-CHARGE, SUB-JAIL, NAGERCOIL
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.PALANIVELAYUTHAM Advocate SR.No.16553

ORDER
IN

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Date :01/04/2015

NA/01/04/2015/P2/7C