



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

Wednesday, the Twenty Fifth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.5528 of 2015

WEB COPY

ARUN KUMAR

... PETITIONER/ACCUSED NO.3

Vs

STATE REP BY
THE INSPECTOR OF POLICE
SRIVAISKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO. 62 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. S.M. MOHAN GANDHI 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 03.03.2015 for the offences punishable under Sections 294 (b), 387 and 307 of I.P.C. in Crime No.62 of 2015 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3. The case of the prosecution is that this petitioner along with A1 and A2 had threatened the de-facto complainant with knife and attacked him.

4. It is represented by the learned Government Advocate (Crl.side) that A1 and A2 were already released on bail and there is no previous case against the petitioner.

5. Taking into consideration the facts and circumstances of the case, I am of the opinion that this is a fit case 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, Srivaikundam and on further condition that:

[a] the petitioner shall report before the respondent police daily at 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

25/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAICKUNDAM
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE SRIVAICKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE OFFICER-IN-CHARGE, BORSTAL SCHOOL NANGUNERI,
TIRUNELVELI DISTRICT
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. S.M. MOHAN GANDHI Advocate SR.No.14584

ORDER

IN

CRL OP(MD) No.5528 of 2015

Date :25/03/2015

NA/26/03/2015/P2/7C