



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

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.72 of 2015

KESAVAN

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, THOOTHUKUDI
DT, CRIME NO.1072/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAMASAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANINA, 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 01.11.2014 for the offences punishable under Sections 341, 294(b), 307 and 506(ii) of Indian Penal Code in Crime No.1072 of 2014 on the file of the respondent police, seeks bail.

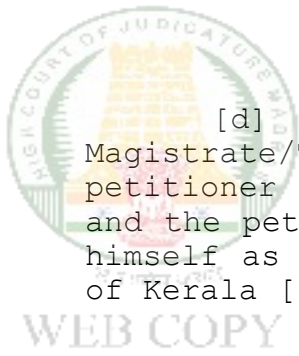
2. The case of the prosecution is that this petitioner attempted to attack the *defacto* complainant in this case by name Gopinath on 01.11.2014. The said Gopinath was not injured. It is seen that the said Gopinath is none other than the brother-in-law of the deceased by name Ragothamman in Crime No.216 of 2014. This Court has granted bail to this petitioner for the offences punishable under Sections 302 and 201 of Indian Penal Code in Crime No.216 of 2014 today. It is seen that the *defacto* complainant is not actually injured in this case. Under such circumstances, I am inclined to grant bail to the petitioner.

3. 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.II, Kovilpatti and

[a] Since this Court is directed the petitioner to report before Koppampatti Police Station every day at 10.30 a.m., in Crime No.216 of 2014 , no condition is imposed in this case.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

<https://hcservices.courts.gov.in/hcservices/courts.gov.in> 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].

sd/-
22/01/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II,KOVILPATTI.
 - 2.DO THRO THE CHEIF JUDICIAL MAGISTRATE, THOOTHUKUDI.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BECN OF MADRAS HIGH COURT, MADURAI.
 - 4.THE OFFICER INCHARGE,
KOPPAMPATTI POLICE STATION, THOOTHUKUDI.
 - 5.THE SUB INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, THOOTHUKUDI DISTRICT.
 - 6.THE SUPERINTENDENT CENTRAL PRISON, PALAYAMKOTTAI.
- +1. CC to M/S.S.RAMASAMY Advocate SR.No.2778

ORDER
IN
CRL OP(MD) No.72 of 2015
Date :22/01/2015

rg.22.01.2015 2p.8c.