



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

Wednesday, the Twentieth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.9358 of 2015

KARTHICK

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
USILAMPATTI POLICE STATION
MADURAI DISTRICT
CRIME NO.110 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.BALAN Advocate
For Respondent : M/S.A.P.BALASUBRAMANI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

This is an application filed by the petitioner/second accused, who was arrested and remanded to judicial custody on 06.05.2015 for the alleged offences punishable under Section 366 IPC in Crime No.110 of 2015 on the file of the respondent police seeking bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (crl. side) appearing for the respondent police.

3.It is stated in the petition that the respondent police have arrested the petitioner on 06.05.2015 in connection with Crime No.110 of 2015 for the alleged offences under Section 366 IPC. Further it is subsequently stated in the petition that as per FIR, the occurrence took place on 02.05.2015 itself. However, the case has been registered only on 04.05.2015. Further, it is stated in the petition that due to family dispute, the victim voluntarily left her matrimonial home and the victim has been secured and produced before the Court of Judicial Magistrate NO.1, Usilampatti, and she has given statement that she left her matrimonial home regarding money dispute between the victim and the defacto complainant. Further, it is stated in the petition that the petitioner is an innocent person and the petitioner would abide conditions that may be imposed by this Court.



4.The learned Government Advocate(Crl.side) has produced the statement given by the said Lakshmi to the Inspector of Police on 06.05.2015.

5.Further, in this matter the learned Government Advocate (Crl.side) on instructions from the respondent police, produced the final report filed in this matter dated 08.05.2015 before the learned Judicial Magistrate-cum- District Munsif No.1, Usilampatti, in Charge Sheet No.74 of 2015. On a perusal of the final report it is found that the Inspector of Police has filed the final report before the concerned Judicial Magistrate on 08.05.2015 with list of witnesses and other material records.

6.On consideration of the above mentioned facts and circumstances and situation of the present case, it is found that the present case is a fit case for grant of bail with conditions. Accordingly, the petitioner is ordered to be released on bail on the following conditions:-

(i) The petitioner shall execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand Only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Usilampatti,

(ii) The petitioner shall appear before the Judicial Magistrate NO.1, Usilampatti, on all working days at 10.30 a.m until further orders.

(iii) The petitioner shall surrender his passport, if any, before the trial Court.

(iv) The petitioner shall not leave Boothipuram Village, Usilampatti Taluk, Madurai District without prior permission of the concerned Court.

(v) The petitioner shall not try to intimidate, threat, influence or allure the prosecution witnesses in any manner.

(vi) In case of any breach or violation of any of the above said conditions, the State would be at liberty to move the Court for cancellation of bail granted to the petitioner.

(vii) The petitioner shall make himself available for interrogation by the police officer as and when required.

(viii) The petitioner should furnish his residential address to the investigation officer forthwith by producing the true copy of the ration card/Voter ID/Adhar Card.

sd/-
20/05/2015

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO. I
USILAMPATTI

WEB COPY

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

4. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI

5. THE INSPECTOR OF POLICE
USILAMPATTI POLICE STATION, MADURAI DISTRICT

+1. CC to M/S.P.BALAN Advocate SR.No.25823

RL/7 C- 22/5/2015

ORDER

IN

CRL OP (MD) No.9358 of 2015

Date : 20/05/2015