



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Twentieth day of March Two Thousand Fifteen

PRESENT

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CRL OP(MD) No.5253 of 2015

WEB COPY
Ayyappan

..PETITIONER/ACCUSED No.3

Vs.

STATE REP.BY INSPECTOR OF POLICE
KULASEKARAM POLICE STATION,
KANYAKUMARI DIST.
(CRIME NO. 89 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate

For Respondent : Mr.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 23.02.2015, for the offence punishable under Sections 341, 294(b), 307, 323, 324 and 506(ii) of the Indian Penal Code, in Crime No.89 of 2015, on the file of the respondent police, seeks bail.

2. It is represented by the learned Government Advocate (Crl.Side) that injured has been discharged from the hospital and there is no previous case as 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, Padmanabhapuram 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]**.

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/-

20/03/2015



TO

1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM, KANYAKAKUMARI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 INSPECTOR OF POLICE, KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No.13554

ORDER IN

CRL OP(MD) No.5253 of 2015

Date :20/03/2015

PBK 20/03/2015 ::2P-7C: