



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12421 of 2016

1 M.RIYAS @ RIYAS AHAMAD,
2 M.ASARUDEEN @ MOHAMAD ASARUDEEN ... PETITIONERS / ACCUSED No.2&3

Vs

State through
THE INSPECTOR OF POLICE,
TOWN POLICE STATION, SIVAGANGAI,
IN CRIME NO.471 OF 2016 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.SEVUGARAJA Advocate

For Respondent : MR.P.Kannithevan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.2 & 3, who were arrested and remanded to judicial custody on 25.06.2016 for the alleged offences punishable under Sections 294(b), 342, 324 and 307 of IPC, in Crime No.471 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are in judicial custody from 25.06.2016.

3.The learned Government Advocate(Crl.side) submitted that the injured person had already been discharged from the hospital.

4.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital and the petitioners are in judicial custody from 25.06.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) Each of the petitioners shall execute a 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, Sivagangai.



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- (ii) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

5.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl side), as to whether the petitioners are complying with the condition or not.

sd/-
22/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- 4 THE INSPECTOR OF POLICE,
TOWN POLICE STATION, SIVAGANGAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.SEVUGARAJA Advocate SR.No.38702

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ORDER
IN
CRL OP(MD) No.12421 of 2016
Date :22/07/2016