



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

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10406 of 2016

KALEESWARAN

... PETITIONER/ACCUSED-1

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 157 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S D.BALAMURUGAPANDI, ADVOCATE

FOR RESPONDENT : MR.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 03.06.2016 for the alleged offences punishable under Sections 294(b), 355, 323 and 307 of IPC, in Crime No.157 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The petitioner is in judicial custody from 03.06.2016. A2 and A3 were already arrested and released on bail by this Court in Crl.O.P(MD) No.8053 of 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 petitioner is in judicial custody from 03.06.2016 and the co-accused Nos.2 & 3, were arrested and released on bail, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of
<https://hcservices.ecourts.gov.in/hcservices/> RS.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of



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the learned Judicial Magistrate No.III, Dindigul.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner 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 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]**.

5.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/-

28/06/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3. THE SUB INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5. THE OFFICER-IN-CHARGE,
SUB-JAIL, DINDIGUL.

+1. CC to M/S D.BALAMURUGAPANDI Advocate SR.No. 33510

ORDER IN

CRL OP(MD) No.10406 of 2016

Date :28/06/2016