



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) Nos.10470 and 10471 of 2016

PRADEEP

... PETITIONER/ACCUSED No.1
IN CRL OP(MD) No.10470/2016

KARTHICK

... PETITIONER/ACCUSED No.3
IN CRL OP(MD) No.10471/2016

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
LALAPETTAI POLICE STATION,
KARUR DISTRICT,
CR NO. 161/2016.

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

FOR PETITIONER : M/S M.SARAVANAN, ADVOCATE
IN BOTH THE PETITIONS

FOR RESPONDENT : MR.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 & 3, who were arrested and remanded to judicial custody on 01.06.2016 for the alleged offences punishable under Sections 294(b), 323 and 307 of IPC, in Crime No.161 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 and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. The petitioners are in judicial custody from 01.06.2016.

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 01.06.2016, 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:



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(i) the petitioners shall execute 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.I, Kulithalai.

(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, as to whether the petitioners are complying with the condition or not.

sd/-
28/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE NO.1, KULITHALAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
3. THE INSPECTOR OF POLICE, LALAPETTAI POLICE STATION, KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE OFFICER-IN-CHARGE, SUB JAIL, KULITHALAI.

+2. CC to M/S M.SARAVANAN Advocate SR.No. 33416, 33417