



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

Friday, the First day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10842 of 2016

SAVARIMUTHU SANTHOSH @SANTHOSH

... PETITIONER/ACCUSED No.4

Vs

THE STATE THROUGH
THE SUB INSPECTOR OF POLICE,
THIRUVEGAPATHUR POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO. 111 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S J.ANANDKUMAR, 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 :-

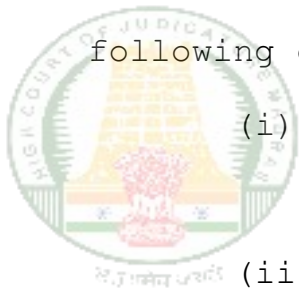
The petitioner who is arrayed as accused No.4 was arrested and remanded to judicial custody on 03.06.2016 for the alleged offences punishable under Sections 294(b), 323, 506(ii) and 307 of IPC in Crime No.111 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and attacked him with knife on his face and caused stab injuries. On complaint, a case has been registered for the above said offences.

3. The case of the petitioner is that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner are in judicial custody from 03.06.2016 and prays for enlarging the petitioner on bail.

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

5.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, 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 Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai.
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am and 5.30 pm 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]**.

6.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/-
01/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, DEVAKOTTAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
3. THE SUB INSPECTOR OF POLICE, THIRUVEGAPATHUR POLICE STATION, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE OFFICERS INCHARGE, SUB JAIL, PUDUKOTTAI.

+1. CC to M/S J.ANANDKUMAR Advocate SR.No. 34453