



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

Monday, the Eleventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10982 of 2016

GAJENDRAN

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE

PATTIVEERANKPATTI POLICE STATION,

PATTIVEERANPATTI,

DINDIGUL DISTRICT,

CR NO. 153 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.LAWRANCE Advocate

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

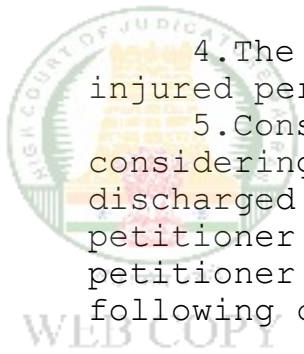
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who is arrayed as accused No.2 was arrested and remanded to judicial custody on 28.05.2016 for the alleged offences punishable under Sections 294(b), 427, 324, 379, 436 and 506(i) of IPC in Crime No.153 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 27.05.2016 due to previous motive the petitioner along with other accused attacked the defacto complainant's son with iron lever and took away a sum of Rs.12,500/- from his pocket and also abused him in filthy language and caused injuries and thereafter, the petitioners came to the house of the defacto complainant, poured petrol on the door of the house and set fire and also threatened him with dire consequences. 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 is in judicial custody from 28.05.2016 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, Nilakkottai.
- (ii)the petitioner shall appear before the respondent Police daily at 10.00 am 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/-  
11/07/2016

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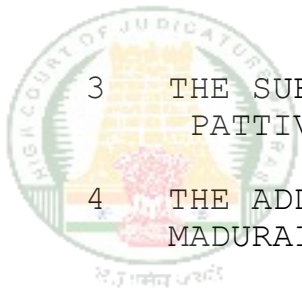
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP  
TO

1 THE JUDICIAL MAGISTRATE, NILAKKOTTAI

<https://hcservices.ecourts.gov.in/hcservices/>

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
DINDUGAL DISTRICT.



- 3 THE SUB INSPECTOR OF POLICE, PATTIVEERANKPATTI POLICE STATION,  
PATTIVEERANPATTI, DINDIGUL DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, DISTRICT PRISON,  
DINDIGUL.

+1. CC to M/S J.LAWRANCE Advocate SR.No.35550

GJM/SK/SKN/SAR-III-11.7.16-3P-7C

ORDER  
IN  
CRL OP(MD) No.10982 of 2016  
Date :11/07/2016