



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

Wednesday, the Sixth day of July Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.11177 of 2016

EDAMALAIYAN

... PETITIONER/ SOLE ACCUSED

Vs

STATE OF TAMILNADU
THROUGH THE INSPECTOR OF POLICE,
SHOLAVANDAN POLICE STATION,
SHOLAVANDAN,
MADURAI DISTRICT,
CR NO. 218/2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.DHANASEELAN 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 is arrayed as sole accused, who was arrested and remanded to judicial custody on 13.06.2016, for the alleged offences punishable under Sections 341, 294(b), 323 and 307 IPC, in Crime No.218 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 13.06.2016, at 8.15 a.m., due to previous enmity, the petitioner assaulted the de-facto complainant and his friend with knife and caused injuries. On complaint, the case has been registered for the abovesaid offences.

3. It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is in judicial custody from 13.06.2016.

4. It is submitted by the learned Government Advocate (Criminal side) that the injured person 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 and the petitioner is in judicial



custody from 13.06.2016, 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, Vadipatti;
- (ii) the petitioner shall report before the respondent police daily at 10.00 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].

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 conditions or not.

sd/-
06/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, VADIPATTI
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, SHOLAVANDAN POLICE STATION,
SHOLAVANDAN, MADURAI DISTRICT.
- 5 THE SUPERINTENDENT, CENTRAL JAIL, MADURAI.

+1. CC to M/S C.DHANASEELAN Advocate SR.No.35234

smn2

JM/NGM-SK/SAR-III/06.07.2016/2P-7C

ORDER
IN
CRL OP(MD) No.11177 of 2016
Date :06/07/2016