



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

Friday, the Fifteenth day of July Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP (MD) No.11712 of 2016

1 RAMADURAI
2 BALAMURUGAN

... PETITIONERS/ACCUSED No.1&4

Vs

THE STATE, REP. BY
THE INSPECTOR OF POLICE,
SANKARANKOVIL TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.270/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.S.VAIGUNTH Advocate

For Respondent : P.KANNITHEVAN, Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 and 4, who were arrested and remanded to judicial custody on 05.06.2016 for the alleged offences punishable under Sections 341, 294(b), 323, 336, 506(ii) and 307 IPC read with Section 5 of TNPPDL Act, in Crime No.270 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that due to previous enmity, on 04.06.2016 at about 10.00 p.m., while the de facto complainant was proceeding in a TATA Ace Vehicle, the petitioners along with the accused abused him in filthy language, attacked him, caused injury and threatened him with dire consequences and also damaged the wind glass of the car to the tune of Rs.15,000/-. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. and the petitioners are in judicial custody from 05.06.2016.

4.The learned Government Advocate(Crl.side) submitted 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 the injured person had already been discharged from the hospital and petitioners are in judicial custody from 05.06.2016 and also considering the fact that major part of the investigation is almost over by this time, 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:

- (i) Each of 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, Sankarankovil.
- (ii) the petitioners shall report before the respondent police daily at 10.00 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]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Civil side), as to whether the petitioners are complying with the condition or not.

sd/-

15/07/2016

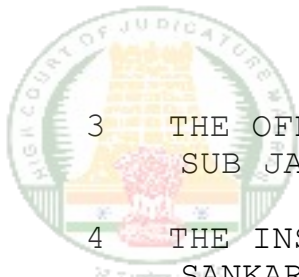
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT



3 THE OFFICER IN CHARGE
SUB JAIL, SANKARANKOVIL

4 THE INSPECTOR OF POLICE,
SANKARANKOVIL TOWN POLICE STATION, TIRUNELVELI DISTRICT.

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

+1. CC to M/S A.S.VAIGUNTH Advocate SR.No.37044

ORDER

IN

CRL OP(MD) No.11712 of 2016

Date :15/07/2016

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