



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.11822 of 2016

SURESH @KEERI SURESH

... PETITIONER/ACCUSED

Vs

THE INSPECTOR OF POLICE

B-6, JAIHINDPURAM (L&O) POLICE STATION,

MADURAI CITY, CR NO. 595/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S D.RAMESHKUMAR 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 petitioner is arrayed as accused, who was arrested and remanded to judicial custody on 28.05.2016 for the alleged offences punishable under Sections 147, 148, 447, 448, 294(b), 324, 307 and 506(ii) IPC @ Sections 120-B, 147, 148, 447, 448, 294(b), 324, 307 and 506(ii) IPC, in Crime No.594 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due election dispute, the petitioner along with other accused unlawfully assembled and assaulted the de facto complainant with deadly weapons and caused injuries. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. The petitioner is in judicial custody from 28.05.2016.

4.The learned Government Advocate (Crl. side) submitted that the injured person had already been discharged from the hospital. Investigation is pending. The petitioner is having one previous case. If the petitioner is released on bail, he will tamper the evidence and hamper the investigation.



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 28.05.2016, 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 No.IV, Madurai.
- (ii) the petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, Trichy daily at 10.00 a.m. and 05.00 p.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 condition or not.

sd/-
15/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE-IV, MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

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

3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI



4 THE INSPECTOR OF POLICE
B-6, JAIHINDPURAM (L&O) POLICE STATION, MADURAI CITY,

5 THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION, TRICHY.

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

+1. CC to M/S D.RAMESHKUMAR Advocate SR.No.36811

ORDER
IN
CRL OP(MD) No.11822 of 2016
Date :15/07/2016

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SH/SK-SKN/SAR-III:15.07.2016:3P/8C