



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

Wednesday, the Twentieth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.12228 of 2016

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PARAMASIVAM

... PETITIONER/ACCUSED (SOLE ACCUSED)

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SRIVAIKUNDAM POLICE STATION,

THOOTHUKUDI DISTRICT.

CRIME NO. 204 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.R.DURAIRAJ 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, who was arrested and remanded to judicial custody on 06.07.2016 for the alleged offence punishable under Section 307 IPC, in Crime No.204 of 2016, on the file of the respondent police and hence, seeks bail.

2.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent and he has not committed any offence and the de facto complainant is the brother-in-law of the petitioner and the petitioner is in judicial custody from 06.07.2016 and prays for bail in favour of the petitioner.

3.It is submitted by the learned Government Advocate (Crl.Side) that the injured person had already been discharged from the hospital.

4.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 06.07.2016, 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, Srivaikundam.
- (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



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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]**.

5.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/-

20/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE
SRIVAIKUNDAM.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, SRIVAIKUNDAM.
- 4 THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.R.DURAIRAJ Advocate SR.No.37820

ORDER

IN

CRL OP(MD) No.12228 of 2016

Date :20/07/2016

PA/SK-SKN/SAR II/20.07.2016/2P/7C