



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.12235 of 2016

RAVIKUMAR

... PETITIONER/ACCUSED No.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CHATHIRAPATTI POLICE STATION,
DINDIGUL DISTRICT
CR.NO. 151 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.PALANIVELAYUTHAM 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 accused No.3, who was arrested and remanded to judicial custody on 03.07.2016 for the alleged offences punishable under Sections 294(b), 427, 353, 307 of IPC and Section 3 (1) of TNPPDL Act, in Crime No.151 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the defacto complainant was on patrol duty, the petitioner along with other accused persons attacked the defacto complainant and threatened him with dire consequences and caused damages to 2 Walkie Talkie, Tube lights. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 03.07.2016. A.1 and A.2 were already enlarged on bail by this Court vide order dated 19.07.2016 made in Crl.O.P(MD)Nos.12065 and 12069 of 2016.

4.The learned counsel for the petitioner submitted that the petitioner is willing to deposit a sum of Rs.15,000/- to the credit of this case before the Trial Court.

5.The learned Government Advocate(Crl.side) submitted that the petitioner and other accused persons threatened the defacto complainant and caused damages to 2 Walkie Talkie and Tube lights and the investigation is pending. If the petitioner is released on bail, he will tamper the evidence and hamper the investigation.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 03.07.2016 and the co-accused were already enlarged on bail by this Court and also considering the submissions made on the side of the petitioner, 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 deposit a sum of Rs.15,000/- to the credit of Crime No.151 of 2016 before the



WEB COPY

learned Judicial Magistrate, Ottanchatram, Dindigul District and he 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, Ottanchatram, Dindigul District.

- (ii) the petitioner shall report before the respondent police daily at 10.30 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]**.

7.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

/ TRUE COPY /

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

TO

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

+1. CC to M/S S.PALANIVELAYUTHAM Advocate SR.No.38050

ORDER

IN

CRL OP(MD) No.12235 of 2016

Date :20/07/2016

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