



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

Thursday, the Twenty First day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12343 of 2016

SELVARAJ

... PETITIONER/ACCUSED NO.1

Vs

STATE REPRESENTED THROUGH  
THE SUB INSPECTOR OF POLICE  
SEITHUNGANALLUR POLICE STATION  
THOOOTHUKUDI DISTRICT.  
CRIME NO.119 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.ANANDAN Advocate

For Respondent : M/S.P.KANNITEHVAN Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who is arrayed as accused no. 1 was arrested and remanded to judicial custody on 04.07.2016 for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC and Section 3 of TNPPDL Act in Crime No.119 of 2016, on the file of the respondent police and hence, seeks bail.

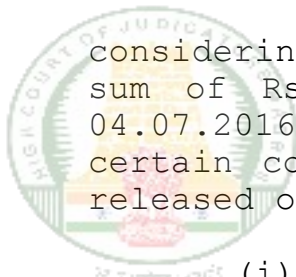
2.The case of the prosecution is that due to previous enmity, the petitioner along with another accused scolded the de facto complainant, beat him and caused injuries and also caused damage to the front mirror and doom light to the tune of Rs.20,000/-. On complaint case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent and he has not committed any offence and his name has been falsely implicated in this case. He further submitted that the petitioner is willing to deposit a sum of Rs.10,000/- to the credit of Crime No.119 of 2016 before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District.

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

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

5.Considering the facts and circumstances of the case and also



considering the fact that the petitioner is willing to the deposit a sum of Rs.10,000/- and that he is in judicial custody from 04.07.2016, I am 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.10,000/- (Rupees Ten Thousand only) to the credit of above said Crime No. 119 of 2016 and 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, Thoothukudi District.
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am 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/-  
21/07/2016

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT JAIL, SRIVAIKUNDAM.

4 THE SUB INSPECTOR OF POLICE SEITHUNGANALLUR POLICE STATION,  
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S A.ANANDAN Advocate SR.No.38376

ORDER

IN

CRL OP(MD) No.12343 of 2016

Date :21/07/2016

SDR/NGM-MP/SAR III/21.07.2016/3P/7C