



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.12390 of 2016

KANNAN

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
REDDIYARCHATHIRAM POLICE STATION,
DINDIGUL DISTRICT,
CR NO. 88 OF 2016.

...RESPONDENT/COMPLAINANT

For Petitioner : M/S K.SATHISH KUMAR Advocate

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

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

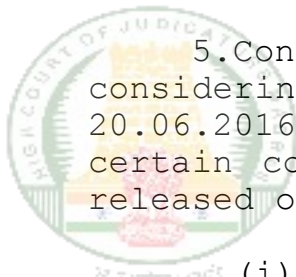
ORDER : The Court Made the following order :-

The petitioner who is arrayed as sole accused was arrested and remanded to judicial custody on 20.06.2016 for the alleged offence punishable under Sections 457,324,380 of IPC @ Section 392 r/w. 397 of IPC in Crime No.88 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner entered into the office of the defacto complainant with iron rod and attacked him and robbed Rs.19,600/- and a cell pohe from the cash box. On complaint, a case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 20.06.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the investigation of the case is pending and he further submitted that if the petitioner is enlarged on bail he will tamper the witness and hamper the investigation and prayed for dismissal of this petition.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 20.06.2016, 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 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, Ottanchathiram.
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am and 5.30 pm 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

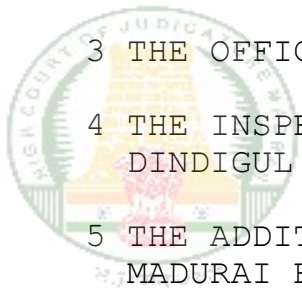
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, OTTANCHATHIRAM.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.



3 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.

4 THE INSPECTOR OF POLICE REDDIYARCHATHIRAM POLICE STATION,
DINDIGUL DISTRICT,

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

WEB COPY

+1. CC to M/S K.SATHISH KUMAR Advocate SR.No.38447

ORDER

IN

CRL OP (MD) No.12390 of 2016

Date :21/07/2016

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