



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12451 of 2016

SELVAM @ SELVARAJ

... PETITIONER / SOLE ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
ERIODE POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 265/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.VENKATESAN 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 accused, who was arrested and remanded to judicial custody on 27.06.2016 for the alleged offences punishable under Section 397 of IPC, in Crime No.265 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 26.06.2016, due to civil dispute, the petitioner assaulted the defacto complainant, who is the police official. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and prayed for bail.

4.The learned Government Advocate(Crl.side) submitted that the no one sustained injury in the alleged occurrence and the petitioner is having three previous cases.

5.Considering the facts and circumstances of the case and also considering the fact that no one sustained injury in the alleged occurrence and the petitioner is in judicial custody from 27.06.2016, 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 for a like sum to the satisfaction of the learned Judicial Magistrate, Veda sandur.



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- (ii) the petitioner shall report before the respondent police daily twice at 10.00 a.m., and 5.00 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/-

22/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, VEDASANDUR
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 4 THE SUB INSPECTOR OF POLICE
ERIODE POLICE STATION,
DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.VENKATESAN Advocate SR.No.38754

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ORDER

IN

CRL OP(MD) No.12451 of 2016

Date :22/07/2016