



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.12458 and 12573 of 2016

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GANESAN @ NARAIMUDI GANESAN ... PETITIONER / ACCUSED No.2
IN CRL OP(MD) No.12458 of 2016

JAHIR HUSSAIN @ VELLAI JAHIR ... PETITIONER / ACCUSED No.1
IN CRL OP(MD) No.12573 of 2016

Vs

State rep.by
THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL DISTRICT.
(CRIME NO.784 OF 2016) ... RESPONDENT / COMPLAINANT
in both the petitions

For Petitioner : M/S P.T.RAMESH RAJA Advocate
IN CRL OP(MD) No.12458 of 2016

For Petitioner : M/s.R.Alagumani, Advocate
IN CRL OP(MD) No.12573 of 2016

For Respondent : MR.P.Kannithevan, Govt. Advocate (Crl. Side)
in both the petitions

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

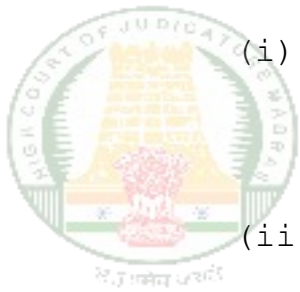
ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 & 2, who were arrested and remanded to judicial custody on 04.07.2016 for the alleged offences punishable under Sections 294(B), 307, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.784 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are in judicial custody from 04.07.2016.

3.The learned Government Advocate(Crl.side) submitted that no one sustained injury in the alleged occurrence.

4.Considering the facts and circumstances of the case and also considering the fact that no one sustained injury in the alleged occurrence and the petitioners are in judicial custody from 04.07.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:



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- (i) Each of the petitioners 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 No.II, Dindigul.
- (ii) the petitioners shall report before the respondent police daily twice at 10.00 a.m., and 5.00 p.m., until further orders.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 (Crl side), as to whether the petitioners are complying with the condition or not.

sd/-

22/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
- 3 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL
- 4 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL
- 5 THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.T.RAMESH RAJA Advocate SR.No.38903
+1cc to Mr.R.Alagumani, Advocate SR.No.38923

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