



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

Wednesday, the Twenty Seventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12888 of 2016

SARAVANAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMNAD DISTRICT.
CR. NO.311/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SIVABALAN 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 is arrayed as sole accused, who was arrested and remanded to judicial custody on 13.07.2016 for the alleged offences punishable under Sections 341, 294(b), 323 of IPC altered into Sections 341, 294(b), 323 of IPC r/w 3(1)(r)(s) of SC/ST Act (POA) Act, in Crime No.311 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due to some wordy quarrel, the petitioner assaulted the defacto complainant with wooden log and caused injuries. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 13.07.2016.

4.The learned Government Advocate(Crl.side) submitted that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital and the petitioner is in judicial custody from 13.07.2016, this Court is inclined to enlarge the



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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, Paramakudi.

(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]**.

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/-

27/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE PARAMAKUDI TOWN POLICE STATION, RAMNAD DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.SIVABALAN Advocate SR.No.39865

ORDER

IN

CRL OP(MD) No.12888 of 2016

Date :27/07/2016