



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.12982 of 2016

SURESH KUMAR

... PETITIONER / 1ST ACCUSED

Vs

STATE REB.BY

THE SUB INSPECTOR OF POLICE

SAMINATHAPURAM POLICE STATION,

DINDIGUL DISTRICT,

CR NO. 136 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.VENKATESH Advocate

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

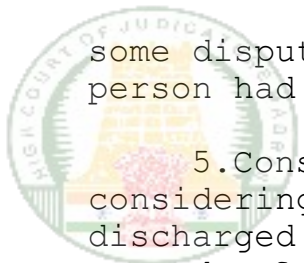
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 29.06.2016 for the alleged offences punishable under Sections 294(b), 326(B) and 506(ii) of IPC, 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 the petitioner and the defacto complainant are husband and wife. Due to some dispute, the defacto complainant went to her parents house. On 29.06.2016, the petitioner came to the defacto complainant's parents house and suspecting the character of the defacto complainant as she is having illicit intimacy with another man, he abused her and poured acid on her face. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that due to dispute, both are living separately. The petitioner did not pour any acid. It is not an acid and it is only a bathroom cleaner. The defacto complainant accidentally, fell on the acid bottle and she sustained injury. He is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 29.06.2016.



some dispute, the petitioner poured acid on her face and 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 29.06.2016, 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, Palani.
- (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/-

27/07/2016

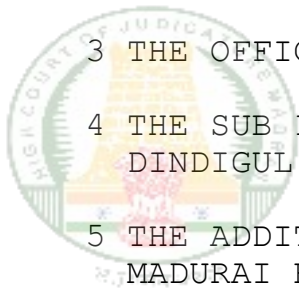
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, PALANI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.



3 THE OFFICER INCHARGE, SUB JAIL PALANI.

4 THE SUB INSPECTOR OF POLICE SAMINATHAPURAM POLICE STATION,
DINDIGUL DISTRICT.

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

WEB COPY

+1. CC to M/S D.VENKATESH Advocate SR.No.39770

ORDER

IN

CRL OP (MD) No.12982 of 2016

Date :27/07/2016

SDR/SK-SKN/SAR III/27.07.2016/3P/7C