



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.13130 of 2016

MURUGANDI @ MURUGAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PAPPAKUDI POLICE STATION,
TIRUNELVELI DISTRICT,
(CR.NO.88/16)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. S. SATHYA CHIDAMBARAM 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 accused, who was arrested and remanded to judicial custody on 16.06.2015 for the alleged offence punishable under Section Sections 294(b), 324, 307 and 506(ii) of I.P.C., 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 on 16.06.2016, the petitioner abused the de-facto complainant with filthy language and assaulted him with aruval and also threatened him with dire consequences. On complaint, case has been registered against the petitioner for the aforesaid 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 16.06.2015.

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

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital and the petitioner is in judicial custody from 16.06.2016, 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, Cheranmahadevi, Tirunelveli District.

- (ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.



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- (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/-

28/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE
CHERANMAHADEVI, TIRUNELVELI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE OFFICER INCHARGE,
BORSTAL SCHOOL, NANGUNERI, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
PAPPAKUDI POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. S. SATHYA CHIDAMBARAM Advocate SR.No.40136

ORDER
IN
CRL OP(MD) No.13130 of 2016
Date : 28/07/2016

PA/SK-SKN/SAR I/28.07.2016/2P/7C