



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

Monday, the First day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13407 of 2016

ARULKUMAR

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
PUDUKOTTAI POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO.194 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.R.DURAIRAJ 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 28.06.2016 for the alleged offences punishable under Sections 341, 294(b), 386, 307 and 506(ii) IPC, in Crime No.194 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner attacked the defacto complainant by using deadly weapons and threatened him with dire consequences. 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 28.06.2016.

4.The learned Government Advocate (Crl. side) submitted that the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 28.06.2016, 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 each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thoothukudi.

(ii) the petitioner shall report before the respondent police daily twice at 10.30 a.m., and 05.00 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/-

01/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3 THE SUB INSPECTOR OF POLICE,PUDUKOTTAI POLICE STATION,
TUTICORIN DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE OFFICER IN CHARGE, DISTRICT PRISON, SRIVAIKUNDAM.

+1. CC to M/S S.R.DURAIRAJ Advocate SR.No.41104

PS

CSL/GSV-PM/SAR-I/01.08.2016 :2P/7C

ORDER

IN

CRL OP(MD) No.13407 of 2016

Date :01/08/2016