



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.13474 of 2016

MURUGADOSS,

... PETITIONER / ACCUSED No.3

Vs

The State Rep.by
THE SUB INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
(CR.NO.484 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S V.MANIKANDAN 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 No.3, who was arrested and remanded to judicial custody on 02.07.2016 for the alleged offences punishable under Sections 147, 148, 294(b), 452, 427, 324 and 307 IPC and under Section 3(2)(Va) of SC/ST (POA) Act, in Crime No.484 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused attacked the defacto complainant's son and abused him in filthy language 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 02.07.2016.

4.The learned Government Advocate (Crl. side) submitted that the injured person had already been discharged from the hospital and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact the injured person had already been discharged from the hospital and the petitioner is in judicial custody from 02.07.2016, 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



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Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge cum Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Sivagangai.

(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 conditions or not.

sd/-

01/08/2016

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

TO

- 1 THE SESSIONS JUDGE CUM
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER SC/ST(POA) ACT, SIVAGANGAI.
- 2 THE OFFICER INCHARGE, SIVAGANGAI SUB JAIL, SIVAGANGAI
- 3 THE SUB INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.MANIKANDAN Advocate SR.No.40850

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ORDER

IN

CRL OP(MD) No.13474 of 2016

Date :01/08/2016