



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13535 of 2016

KARTHICK

... PETITIONER / ACCUSED No.6

Vs

STATE BY THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SIVAGANGAI
CRIME NO. 484 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.SRINIVASAN 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.6, 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 against the petitioner 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 and the co-accused viz., A6 was already enlarged on bail by this Court in CrI.O.P.(MD).No.13474 of 2016 dated 01.08.2016.

4. The learned Government Advocate (CrI. 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 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 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, 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**

<https://hcservices.ecourts.gov.in/hcservices/> [(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.

WEB COPY

sd/-
02/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SIVAGANGAI
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT
 - 3 THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SIVAGANGAI
 - 4 THE OFFICER IN-CHARGE
SUB JAIL, SIVAGANGAI
 - 5 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S R.SRINIVASAN Advocate SR.No.41314

AKV
JAM/02.08.16/AAL-MPA/SAR I/3P-7C

ORDER
IN
CRL OP(MD) No.13535 of 2016
Date :02/08/2016