



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.13604 of 2016

MAIDEEN .

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,
ACHANPUTHUR POLICE STATION, TIRUNELVELI DISTRICT.
(CRIME NO.119 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.ANGUSAMY Advocate

For Respondent : M/S.P.KANNITHEVAN,

Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

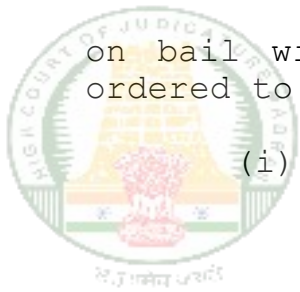
The petitioner is arrayed as Accused No.1, who was arrested and remanded to judicial custody on 09.07.2016 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 of I.P.C., in Crime No.119 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that due to previous enmity, on 07.07.2016, at about 2.30 p.m., the petitioner along with the other accused attacked the de-facto complainant with knife. 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 09.07.2016.

4. The learned Government Advocate (Crl. 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, 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, Senkottai, Tirunelveli District.
- (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/-
02/08/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SENKOTTAI, TIRUNELVELI DISTRICT
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 4. THE OFFICER-IN-CHARGE, BORSTAL SCHOOL, NANGUNERI,
TIRUNELVELI DISTRICT
 5. THE INSPECTOR OF POLICE,
ACHANPUTHUR POLICE STATION, TIRUNELVELI DISTRICT.
- +1. CC to M/S.V.ANGUSAMY Advocate SR.No.41382
RL/7C/2P/GSV/PM/SARAE/2/8/2016

ORDER
IN
CRL OP(MD) No.13604 of 2016
Date : 02/08/2016