



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13929 of 2016

MOHAMMED FARITH ASLAM

..PETITIONER/ACCUSED No.8

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

CR. NO. 484 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner who is arrayed as A8 was arrested and remanded to judicial custody on 02.07.2016 for the alleged offences punishable under Sections 147,148,452,294(b), 324, 427,307 of IPC and 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 due to the wordy quarrel the petitioner along with other accused persons trespassed in to the house of the defacto complainant and attacked him with Aruval and damaged the household articles and door and window of the house. On complaint, a case has been registered for the above said offences.

3. The case of the petitioner is that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is willing to deposit a sum of Rs.5,000/- and he is in judicial custody from 02.07.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the petitioner along with other accused caused damaged to the TV, Car, door and windows and the injured has been discharged from the hospital and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is willing to deposit a sum of Rs.5,000/-, 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:

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

(1) the petitioner shall deposit a sum of Rs.5,000/-

(Rupees Five Thousand only) to the credit of



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Crime No.484 of 2016 and he 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 Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Sivagangai.

- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am and 5.30 pm 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/-

05/08/2016

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

TO

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

+1. CC to M/S.J.JEYAKUMARAN Advocate SR.No.42267

ORDER IN

CRL OP(MD) No.13929 of 2016

Date :05/08/2016