



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

Friday, the Twelfth day of August Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.13957 of 2016

WEB COPY

V.MEYYAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
NATHAM POLICE STATION,
NATHAM,DINDIGUL DISTRICT,
CRIME NO.51 OF 2013

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SIVA ILAYARAJA 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, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 307 I.P.C., in Crime No.51 of 2013 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 22.02.2013, the accused person with intention to commit murder, attacked the defacto complainant with deadly weapons. On complaint, a case has been registered against the petitioner for the above said offence. The petitioner was arrested and released on bail by the learned Principal Sessions Judge, Dindigul and the case is pending as P.R.C.No.11 of 2015 before the learned Judicial Magistrate, Natham.

3. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. The petitioner was regularly appearing before the Court and due to illness, he did not appear before the Court on 25.08.2015 and non-bailable warrant was issued against him. The respondent police arrested the petitioner again on 22.06.2016 and he is in judicial custody from 22.06.2016. Now, the petitioner undertakes to appear before the Court regularly and prays for bail.

4.The learned Government Advocate (Crl.Side) would submit that after the petitioner was enlarged on bail, the petitioner did not appear before the Court and absconded. He did not comply the conditions imposed by this Court, if he is enlarged on bail, again he will abscond.

5.Considering the facts of the case and also considering the fact that the petitioner is in judicial custody from 22.06.2016, this Court is inclined to grant bail to the petitioner, 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 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, Natham.

(ii) the petitioner shall report before the concerned Court daily at 10.30 a.m. for four weeks, thereafter on all future hearings.

(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/-

12/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NATHAM.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.

4 THE SUB INSPECTOR OF POLICE
NATHAM POLICE STATION, NATHAM, DINDIGUL DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to M/S.SIVA ILAYARAJA, Advocate in SR.No.44358

ORDER

IN

CRL OP(MD) No.13957 of 2016

Date :12/08/2016

PA/DB/SAR CO/16.08.2016/2P/7C