



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

Tuesday, the Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14132 of 2016

VIJAYA KUMAR

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
MALLANKINARU POLICE STATION,
VIRUDHUNAGAR.
CR. NO.92/2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR 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 accused no.2 was arrested and remanded to judicial custody on 27.06.2016 for the alleged offences punishable under Sections 147,148,341,294(b),323,324,506(ii) IPC and U/s. 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.92 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that due to wordy quarrel the petitioner along with other accused attacked the defacto complainant and caused injuries and also threatened him with dire consequences. 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 are in judicial custody from 27.06.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the injured persons had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that 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 No.I, Virudhunagar.
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am 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/-

09/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.
- 2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 4 THE INSPECTOR OF POLICE, MALLANKINARU POLICE STATION,
VIRUDHUNAGAR.
- 5 THE OFFICER-IN-CHARGE, DISTRICT JAIL, VIRUDHUNAGAR.

+1. CC to M/S.V.SASIKUMAR Advocate SR.No.42822

ORDER IN

CRL OP(MD) No.14132 of 2016

Date :09/08/2016