



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

Wednesday, the Tenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14298 of 2016

CHELLADURAI

... PETITIONER/ACCUSED NO. 1

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION, PUDUKKOTTAI DT.
CR.NO.135 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

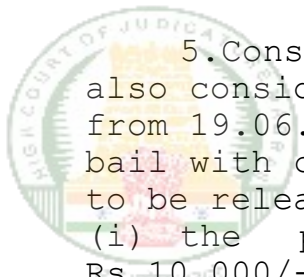
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 19.06.2016 for the alleged offences punishable under Sections 147, 148, 452, 352, 323, 324 and 302 IPC, in Crime No.135 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 16.06.2016, due to previous enmity, the petitioner and other accused trespassed into the house of the de facto complainant and attacked the father of the de facto complainant with aruval and he died due to the injuries sustained by him. The de facto complainant and her mother sustained injuries. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that due to civil dispute between the petitioner and the deceased, a false complaint has been given against the petitioner. 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 19.06.2016.

4.The learned Government Advocate (Criminal Side) submitted that due to previous enmity, the petitioner and other accused trespassed into the house of the de facto complainant and attacked the father of the de facto complainant with aruval and he died due to the injuries sustained by him. The de facto complainant and her mother sustained injuries. Investigation is pending. He would further submit that the co-accused were enlarged on bail by this Court in Crl.O.P(MD)Nos.13653 to 13655 of 2016, dated 03.08.2016.



5. Considering the allegations made against the petitioner and also considering the fact that the petitioner is in judicial custody from 19.06.2016, 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, Aranthangi.

(ii) the petitioner shall report before the respondent police daily twice at 10.30 a.m., and 05.00 p.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 condition or not.

sd/-

10/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARANTHANGI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE INSPECTOR OF POLICE, MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No. 43416

ps

JA-GSV-SAR.CO/10.08.2016/2P;7C

ORDER IN

CRL OP(MD) No.14298 of 2016

Date :10/08/2016