



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14538 of 2016

SARAVANAN,

... PETITIONER / ACCUSED No.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
MALLANKINARU P.S., VIRUDHUNAGAR.
IN CRIME.NO.92 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SEENU RAMACHANDRAN 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 :-

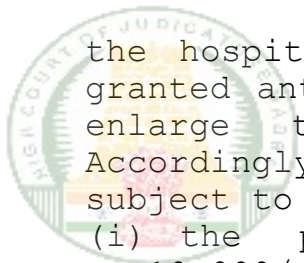
The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 27.06.2016 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.92 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioner and other accused persons attacked the defacto-complainant with weapons and also abused him in filthy language. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The petitioner is in judicial custody from 27.06.2016. A.2 was enlarged on bail by this Court vide order dated 09.08.2016 made in Crl.O.P(MD)No.14132 of 2016 and A.3 and A.5 were granted anticipatory bail by this Court vide order dated 20.07.2016 made in Crl.O.P(MD)No.12154 of 2016.

4.The learned Government Advocate (Crl. side) submitted that the injured person had already been discharged from the hospital and the petitioner is having one previous case. Investigation is pending. If the petitioner is released on bail, he will tamper the evidence and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 27.06.2016 and the injured person had already been discharged from



the hospital and A.2 was enlarged on bail and A.3 and A.5 were granted anticipatory bail by this Court, 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 report before the Inspector of Police, Rural Police Station, Virudhunagar, daily at 10.00 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 condition or not.

sd/-

11/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR
2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT
3 INSPECTOR OF POLICE, MALLANKINARU POLICE STATION, VIRUDHUNAGAR
4 THE INSPECTOR OF POLICE,
RURAL POLICE STATION, VIRUDHUNAGAR
5 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR
6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.K.SEENU RAMACHANDRAN Advocate SR.No.43856

SMN

SMA/GSV-PM/SAR-III/11/08/2016 :2P/8C

ORDER

IN

CRL OP(MD) No.14538 of 2016

Date :11/08/2016