



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.14624 of 2016

CHANDRAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

KENIKARAI POLICE STATION,

RAMANATHAPURAM DISTRICT.

(CRIME NO.524 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU 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 was arrested and remanded to judicial custody on 09.07.2016 for the alleged offences punishable under Sections 341,294(b),324,506(ii) of IPC r/w. 3(1)(r) (s) and SC/ST Act 2015, in Crime.No.524 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that due to money dispute, the petitioner waylaid the defacto complainant and attacked him with stick 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 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 in judicial custody from 09.07.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the injured has been discharged from the hospital and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact the injured has 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.II, Ramanathapuram.

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- (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/-

12/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
 - 2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 - 3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE, KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
 - 5 THE OFFICER-IN-CHARGE, DISTRICT JAIL, RAMANATHAPURAM.
- +1. CC to M/S.M.SUBASH BABU Advocate SR.No.44501

ORDER IN
CRL OP(MD) No.14624 of 2016
Date :12/08/2016