



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

Friday, the Nineteenth day of August Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP(MD) No.15227 of 2016

C. VIJAYAN

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE
TOWN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.
(CRIME NO. 430/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.DEVASENA Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

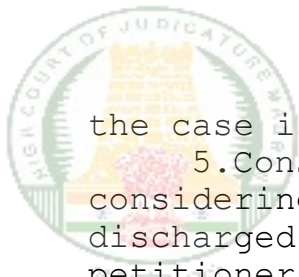
ORDER : The Court Made the following order :-

The petitioner who is arrayed as sole accused was arrested and remanded to judicial custody on 25.07.2016 for the alleged offences punishable under Sections 341, 353 and 307 of IPC in Crime No.430 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that at the time of patrolling by the defacto complainant they intercepted the two wheeler bearing Regn. No.TN 58 AV 3042 and enquired the person and the petitioner along with other accused without answering the defacto complainant attacked them with the knife 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 is in judicial custody from 25.07.2016 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 and the petitioner is having 2 previous cases and the investigation of



the case is pending.

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, Thirumangalam, Madurai District.
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am and 5.00 pm 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/-

19/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM, MADURAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE SUB INSPECTOR OF POLICE

<https://hcservices.ecourts.gov.in/hcservices/>
TOWN POLICE STATION, THIRUMANGALAM, MADURAI DISTRICT.



4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

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

WEB COPY

+1. CC to M/S S.DEVASENA Advocate SR.No.45809

ORDER

IN

CRL OP(MD) No.15227 of 2016

Date :19/08/2016

SH/SK-SKN/SAR-III:19.08.2016:3P/7C