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

Monday, the Twenty Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15862 of 2016

PANDIDURAI ... PETITIONER/ACCUSED NO.I

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
RAMANATHAPURAM B1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO.362 OF 2016 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.A.S.PRABHU 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 10.08.2016 for the alleged offences punishable under Sections 147, 294(b), 353 and 307 IPC, in Crime No.362 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that when he tried to control quarrel between two groups before Muthumariamman Temple, the petitioner and other accused persons attacked him and threatened in filthy language. On complaint, 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. The petitioner is in judicial custody from 10.08.2016.

4.The learned Government Advocate (Crl. side) submitted that 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 10.08.2016, this Court is inclined to enlarge the petitioner on bail

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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, Ramanathapuram.

(ii) the petitioner shall report before the respondent police daily at 10.30 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/-
29/08/2016

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

TO

1 THE JUDICIAL MAGISTRATE,NO.I, RAMANATHAPURAM.
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
3 THE INSPECTOR OF POLICE,
RAMANATHAPURAM B1 TOWN POLICE STATION, RAMANATHAPURAM DISTRICT
4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5 THE OFFICER IN CHARGE,DISTRICT JAIL, RAMANATHAPURAM.
+1. CC to M/S.K.A.S.PRABHU Advocate SR.No.47814

ORDER
IN
CRL OP(MD) No.15862 of 2016
Date :29/08/2016

CM
CSL/GSV-PM/SAR-I/29.08.2016: 2P/7C

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