



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

Wednesday, the Thirty First day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.16112 of 2016

BALAJI

... PETITIONER / ACCUSED No.6

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT,
(CR. NO. 226 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU 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.6, who was arrested and remanded to judicial custody on 09.06.2016 for the alleged offences punishable under Sections 147, 148, 294(b), 324, 307 and 506(ii) IPC, in Crime No.226 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused persons assembled unlawfully with deadly weapons and abused the defacto complainant with filthy language and tried to extort money from him and attacked him and caused injuries. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is studying in Polytechnic College. The petitioner is in judicial custody from 09.06.2016.

4.The learned Government Advocate (Crl. side) submitted that a sum of Rs.14,00,000/- were recovered and already A.1 was enlarged in bail by this Court in Crl.O.P(MD)No.12861 of 2016 and investigation is pending.

5.Considering the fact that co-accused was already enlarged on bail and also considering the fact that the petitioner is in



judicial custody from 09.06.2016, 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:

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- (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, Valliyoor, Tirunelveli District.
- (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.

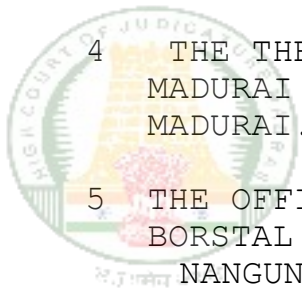
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE
VALLIOOR, TIRUNELVELI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI
- 3 THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT



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

5 THE OFFICER IN-CHARGE,
BORSTAL SCHOOL, SUB JAIL,
NANGUNERI, TIRUNELVELI DISTRICT.

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+1. CC to M/S.S.R.ANBARASU Advocate SR.No.48474

JAM/CK/31.08.16/3P-7C/SAR W

ORDER

IN

CRL OP(MD) No.16112 of 2016

Date :31/08/2016