



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

Tuesday, the Twentieth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.17404 of 2016

VAALE @ SUYAMBULINGAM

... PETITIONER / ACCUSED No.7

Vs

THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
SUCHINDRAM,
KANYAKUMARI DISTRICT
(Crime No.6690/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.PRAGALATHAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, 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.7, who was arrested and remanded to judicial custody on 12.05.2016 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 307 and 506(ii) IPC, in Crime No.669 of 2015, 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 abused the defacto complainant and attacked him with Aruval. On complaint, case has been registered for the above said offences.

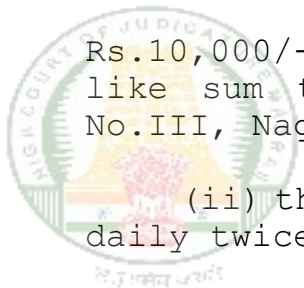
3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 12.05.2016.

4.The learned Government Advocate (Crl. side) submitted that charge-sheet has already been filed and the same has been taken on file in P.R.C.No.20 of 2016 before the learned Judicial Magistrate No.3, Nagercoil.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 12.05.2016, 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:-

<https://hcservices.ecourts.gov.in/hcservices/>

(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.III, Nagercoil, Kanyakumari District.

(ii) the petitioner shall report before the respondent Police daily twice at 10.30 a.m., and 05.00 p.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/-

20/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
NAGERCOIL, KANYAKUMARI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, SUCHINDRAM,
KANYAKUMARI DISTRICT
- 4 THE OFFICE INCHARGER
DISTRICT JAIL, NAGERCOIL, KANYAKUMARI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.N.PRAGALATHAN Advocate SR.No.53776
JAM/SK-SKN/20.09.16/ SAR III/2P-7C



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Date :20/09/2016