



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.17818 of 2016

CHANDRA MOHAN

... PETITIONER / ACCUSED No.6

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SATTUR TALUK POLICE STATION,
SATTUR,
VIRUDHUNAGAR DISTRICT
(CRIME NO.148 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.CHELLAPANDIAN Senior Counsel for
M/S.A.THIRUVADIKUMAR 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.6, who was arrested and remanded to judicial custody on 01.08.2016 for the alleged offences punishable under Sections 302 and 201 IPC, in Crime No.148 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused indiscriminately attacked the deceased with hands and kicked him with legs on his chest and neck. On complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that co-accused were granted bail by this Court and by the Principal Sessions Court, Virudhunagar District. The petitioner is in judicial custody from 01.08.2016.

4.The learned Government Advocate (Crl. side) submitted that the petitioner is arrayed as A.5 and he along with other accused attacked the deceased with hands and kicked him with legs on his chest and neck and the investigation is pending.

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



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01.08.2016, 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:-

- (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, Sattur.
- (ii) the petitioner shall report before the learned Judicial Magistrate No.II, Sattur, 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/-
20/09/2016

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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
SATTUR, VIRUDHUNAGAR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR

3 THE INSPECTOR OF POLICE,
SATTUR TALUK POLICE STATION,
SATTUR,
VIRUDHUNAGAR DISTRICT

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

4 THE ADDITIONAL PUBLIC PROSECUTOR,



MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI

+1. CC to M/S.A.THIRUVADIKUMAR Advocate SR.No.53799

JAM/SK-SKN/20.09.16/ SAR III/3P-7C

ORDER

IN

CRL OP(MD) No.17818 of 2016

Date :20/09/2016