



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

Thursday, the Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.19300 of 2016

A.PRABHU

..PETITIONER/ACCUSED No.18

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
ILANCHEMBUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR.NO. 72 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.ARUL VADIVEL ALIAS SEKAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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.18, who was arrested and remanded to judicial custody on 20.09.2016 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 IPC altered into Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 302 IPC, in Crime No.72 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 accused attacked the deceased and caused death. 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 20.09.2016.

4.The learned Government Advocate (Crl. side) submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 20.09.2016, 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/>

(1) the petitioner shall execute a bond for a sum of
Rs.20,000/- (Rupees twenty thousand only) with



two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Mudhukulathur, Ramanathapuram 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.

sd/-

06/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MUDHUKULATHUR, RAMNAD DISTRICT.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, RAMNAD.

3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, ILANCHEMBUR POLICE STATION,
RAMANATHAPURAM DISTRICT.

5 THE OFFICER-IN-CHARGE, BORSTAL SCHOOL, MELUR, MADURAI DISTRICT.

+1. CC to M/S.C.ARUL VADIVEL ALIAS SEKAR Advocate SR.No.59488

ORDER IN

CRL OP(MD) No.19300 of 2016

Date :06/10/2016

PBK/CK/SAR-I 06/10/2016 ::2P-7C: