



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.19370 of 2016

WEB COPY

MUNEESWARAN

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
TOWN POLICE STATION,
RAMANATHAPURAM,
CR NO. 451 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.JEGADEESWARAN 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.1, who was arrested and remanded to judicial custody on 25.09.2016 for the alleged offences punishable under Sections 294(b) and 307 IPC, in Crime No.451 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner along with other accused assaulted the defacto complainant and thereby attempted to commit murder. 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 25.09.2016.

4.The learned Government Advocate (Crl. side) submitted that the injured person has sustained only simple injury.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 25.09.2016, 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:-

(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/-

06/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 DO-THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE, TOWN POLICE STATION, RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.JEGADEESWARAN Advocate SR.No.59623

ORDER

IN

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Date : 06/10/2016

PA/GSV-PM/SAR III/06.10.2016/2P/7C