



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.19395 of 2016

MANICKAM,

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY

THE SUB-INSPECTOR OF POLICE,

ARANTHANGI POLICE STATION,

PUDUKKOTTAI DISTRICT.

IN CR. NO.780 OF 2010

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN 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.1, who was arrested and remanded to judicial custody on 24.09.2016 for the alleged offence punishable under Section 436 IPC, in Crime No.780 of 2010, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner set fire to the house of the defacto complainant. On complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that only on the execution of Non-Bailable Warrant, the petitioner is in custody from 24.09.2016.

4.The learned Government Advocate (Crl. side) submitted that due to non-appearance of the petitioner, Non-Bailable Warrant has been issued against the petitioner in C.C.No.22 of 2011 by the learned Judicial Magistrate, Aranthangi.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 24.09.2016, 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.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the



satisfaction of the learned Judicial Magistrate, Aranthangi.

(ii) the petitioner shall report before the said Court 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, ARANTHANGI, PUDUKOTTAI DISTRICT.

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

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

4 THE SUB-INSPECTOR OF POLICE, ARANTHANGI POLICE STATION, PUDUKKOTTAI DISTRICT.

5 THE OFFICER-IN-CHARGE, SUB JAIL, ARANTHANGI, PUDUKOTTAI DISTRICT.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.59505
ORDER IN

CRL OP(MD) No.19395 of 2016

Date :06/10/2016

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