



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

Tuesday, the Fifteenth day of November Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20131 of 2016

ANISH

... PETITIONER/PETITIONER/
ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
1 THE INSPECTOR OF POLICE,
MAYANUR POLICE STATION,
KARUR DISTRICT
(CRIME NO.266 OF 2016)

... RESPONDENT/RESPONDENT/
COMPLAINANT

2 A.SAMIAPPAN
[R2 IMPEADED AS PER ORDER
OF THIS COURT MADE IN
CRL.MP(MD)10360/16
DATED 20.10.2016 BY BGJ]

... INTERVENER / DEFACTO COMPLAINAN

For Petitioner : M/S.S.BALAJI, Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

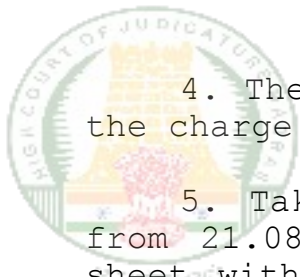
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / accused, who was arrested on 21.08.2016 for the offences punishable under Sections 147, 148, 448, 363 and 506(i) of I.P.C., r/w. Section 3 of TNPPDL Act, 1992 r/w. Sections 147, 148, 342, 448, 398, 364(a), 120(b) and 506(ii) of I.P.C., r/w. Section 3 of TNPPDL Act, 1992 in Crime No.266 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.08.2016, at about 12.30 p.m., the petitioners along with the other accused said to have attacked the de-facto complainant's watchman and damaged the property and also threatened the de-facto complainant demanding money.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 21.08.2016.



4. The learned Government Advocate (Crl.side) would submit that the charge sheet is yet to be filed.

5. Taking note of the fact that the petitioner is in custody from 21.08.2016 and that there is no possibility to file charge sheet within 3 days, this Court is inclined to grant bail to the petitioner. 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 Judicial Magistrate No.II, Kulithalai,

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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 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 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]**.

sd/-

15/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KARUR.

3 THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, MAYANUR POLICE STATION, KARUR DISTRICT

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

+1. CC to M/S.S.BALAJI, Advocate SR.No.69104.

ORDER IN

CRL OP(MD) No.20131 of 2016

Date :15/11/2016