



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

Tuesday, the First day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20749 of 2016

ELANGO VAN

... PETITIONER/ACCUSED NO.10

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KOLLIDAM POLICE STATION,
TRICHY DISTRICT
(CRIME NO.395 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.MOHAN GANDHI Advocate

For Respondent : M/S.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 / A10, who was arrested on 10.10.2016 for the offences punishable under Sections 147, 148, 341, 324, 307, 302 and 506(ii) IPC in Crime No.395 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to civil dispute between the family of the de facto complianant and the family of the petitioner, the petitioner along with other accused stabbed the de facto complainant with knife and threatened with dire consequences.

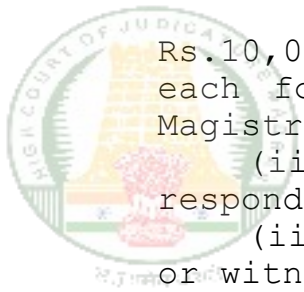
3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 10.10.2016 onwards.

4.The learned Government Advocate (Crl. Side) would submit that except this petitioner all the accused were arreted and enlarged on bail.

5.Considering the facts and circumstances of the case and also considering the fact that the co accused were granted bail, 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:

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

(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.IV, Trichy;

(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/-

01/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TRICHY.

2 DO THRO THE CHIEF JUDICIAL
MAGISTRATE,
TRICHY DISTRICT.

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

4 THE SUPERINTENDENT
CENTRAL PRISON,
TRICHY .

5 THE INSPECTOR OF POLICE,
KOLLIDAM POLICE STATION, TRICHY DISTRICT

+1. CC to M/S.S.M.MOHAN GANDHI Advocate SR.No.64403.

ORDER

IN

CRL OP(MD) No.20749 of 2016

Date :01/11/2016

AM/SK.SKN/SAR-AE/01.11.2016/2P/7C