



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

Monday, the Seventh day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21144 of 2016

S.MURUGAIAH

... PETITIONER /A-3

Vs

STATE REP.BY
INSPECTOR OF POLICE,
THIRU. UTHIRAKOSAMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT
(CR.NO.74 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.K.MANICKAM Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner / A3, who was arrested on 24.10.2016 for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 307 IPC in Crime No.74 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between the accused persons and the de facto complainant, on 23.10.2016, the accused persons attacked the de facto complainant by using Arival.

3.The learned counsel for the petitioner would submit that there is no specific overt act attributed against the petitioner / A3 and he would further 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 24.10.2016 onwards.

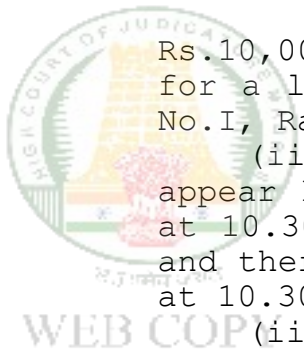
4.The learned Government Advocate(Crl. Side) would submit that injured person has already been discharged from the hospital and investigation is pending.

5.Considering the facts and circumstances of the case and taking note of the fact that the petitioner's name is not mentioned in the FIR and it is a matter of trail, this Court is inclined to grant bail to

<https://hservices.court.gov.in/hservices>

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.I, Ramanathapuram;

(ii) the petitioner is directed to stay at Trichy and appear before the Trichy Cantonment Police Station daily twice at 10.30 a.m. and 5.00 p.m. initially for a period of 30 days and thereafter, appear before the respondent Police daily twice at 10.30 a.m. and 5.00 p.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/-

07/11/2016

/ TRUE COPY /

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

NBJ

TO

1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM

3 THE INSPECTOR OF POLICE,
THIRU. UTHIRAKOSAMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

5 THE OFFICER INCHARGE
SUB-JAIL, RAMANATHAPURAM

6 THE OFFICER INCHARGE,
TRICHY CANTONMENT POLICE STATION, TRICHY.

+1. CC to M/S A.K.MANICKAM Advocate SR.No.66328

GJM/SK.SKN/SAR-I-7.11.16-2P-8C

ORDER

IN

CRL OP(MD) No.21144 of 2016

Date : 07/11/2016