



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

Wednesday, the Twenty Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22148 of 2016

ASHOK KUMAR

... PETITIONER/ACCUSED-2

Vs

THE STATE

REP BY THE SUB INSPECTOR OF POLICE

TOWN POLICE STATION, THIRUMANGALAM, MADURAI DISTRICT

(CRIME NO.320 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU 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 :-

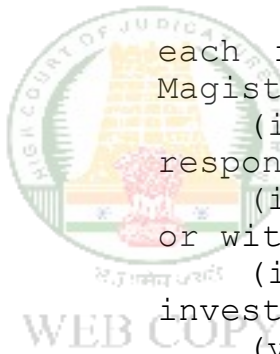
The petitioner / accused, who was arrested on 26.10.2016 for the offences punishable under Sections 294(b), 506(i) and 306 of I.P.C., in Crime No.320 of 2016 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3. The case of the prosecution is that the petitioner along with his wife/A2 abused the son of the de-facto complainant with filthy language and threatened him, since the wife of the de-facto complainant had an illicit intimacy with the petitioner. Hence, the son of the de-facto complainant committed suicide by pouring kerosene and set himself ablaze.

4.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 26.10.2016.

5. Taking note of the fact that the petitioner is in custody from 26.10.2016, 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:



each for a like sum to the satisfaction of the Judicial Magistrate, Thirumangalam;

(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/-

23/11/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, THIRUMANGALAM
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
 - 5.THE SUB INSPECTOR OF POLICE
TOWN POLICE STATION, THIRUMANGALAM, MADURAI DISTRICT
- +1. CC to M/S.N.SATHISH BABU Advocate SR.No.71487
RL/7C/2P/SS3/SAR3/23.11.2016

ORDER

IN

CRL OP(MD) No.22148 of 2016

Date :23/11/2016