



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

Friday, the Twenty Fifth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22354 of 2016

U.ILAMARAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

PARAMAKUDI TALUK POLICE STATION,

RAMNAD DISTRICT.

(CRIME NO.246 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested on 06.11.2016 for the offences punishable under Sections 294(b), 506(ii) and 307 IPC in Crime No.246 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.11.2016 while playing Kabadi, a dispute arose between the petitioner and the de facto complainant. Due to which, the petitioner attacked the de facto complainant with woodenlog.

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 06.11.2016 onwards.

4.The learned Government Advocate(Crl. Side) submitted that injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also taking note of the fact that the injured person has been discharged from the hospital, 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.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Paramakudi;

(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/-

25/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMNAD DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, PARAMAKUDI TALUK POLICE STATION,
RAMNAD DISTRICT.

5 THE OFFICER-IN-CHARGE, DISTRICT PRISON, RAMNAD.

+1. CC to M/S.R.MURUGAN Advocate SR.No.72537

ORDER IN

CRL OP(MD) No.22354 of 2016

Date : 25/11/2016

PBK/MPA/AR-II 25/11/2016 :: 2P-7C: