



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

Tuesday, the Twentieth day of December Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.23326 of 2016

WEB COPY

PALANISAMY

... PETITIONER / SOLE ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
PONNAMARAVATHY POLICE STATION,
PUDUKKOTTAI DISTRICT
(CRIME NO.229 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MATHAVAN Advocate

For Respondent : MR.R.RAMACHANDRAN, Addl.Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested on 19.09.2016 for the offences punishable under sections 307 IPC in Crime No.229 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has given sexual torture to the de facto and that on 13.09.2016 the petitioner picked up quarrel with her and also cut and removed the left hand. Hence, the present complaint has been lodged.

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 19.09.2016 onwards.

4.The learned Governemnt Advocate(Crl.Side) would submit that investigation is completed. He further submitted that the injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and taking note of the fact that the petitioner is in custody from 19.09.2016 onwards and charge sheet has been filed and also 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Thirumayam, Pudukottai District;

(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/-

20/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUMAYAM,
PUDUKOTTAI DISTRICT.

2 -DO THROUGH-
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.

3 THE SUB INSPECTOR OF POLICE
PONNAMARAVATHY POLICE STATION,
PUDUKKOTTAI DISTRICT

4 THE OFFICER IN CHARGE
DISTRICT PRISON, PUDUKOTTAI.

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

+1. CC to M/S.G.MATHAVAN Advocate SR.No.82055

ORDER

IN

CRL OP(MD) No.23326 of 2016

Date :20/12/2016