



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

Monday, the Seventh day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.3144 of 2016

DHARMARAJ

..PETITIONER/ACCUSED NO.2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR. NO.109/2009

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.KALAIYARASI BHARATHI Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(ADVANCE ORDER)

The petitioner, who was arrested and remanded to judicial custody on 11.01.2016, for the offences punishable under Sections 174 Cr.P.C., @ 306 I.P.C., in Crime No.109 of 2009, on the file of the respondent Police, seeks bail.

2. Heard Mrs.P.Kalaiyarasi Bharathi, learned counsel appearing for the petitioner / second accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. Taking into consideration the fact that the case, in P.R.C.No.18 of 2013, has been committed to the Assistant Sessions Court, Sivakasi and the first accused has already been enlarged on bail, this Court is inclined to grant bail to the petitioner / second accused. Accordingly, he is ordered to be released on bail, subject to the following conditions:

(i) the petitioner / second accused 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 learned Judicial Magistrate No.II, Sattur.

(ii) the petitioner / second accused shall report before the respondent police on every Monday at 06.30 p.m., until further orders.

(iii) the petitioner / second accused shall not tamper with evidence or witness either during investigation or trial.



WEB COPY

- (iv) the petitioner / second accused shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / second accused in accordance with law as if the conditions have been imposed and the petitioner / second accused released on bail by the learned 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]**.

4. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

(Detailed order vide in separate sheets)

sd/-

07/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SATTUR.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT

3 THE PRINCIPAL SESSIONS JUDGE,
VIRUDHUNAGAR

4 THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.

5 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR

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

+1. CC to M/S P.KALAIYARASI BHARATHI Advocate SR.No.12730

akm/07.03.2016/2p-8c/MP/AN/SAR-I

ORDER

IN

CRL OP(MD) No.3144 of 2016

Date :07/03/2016