



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

Wednesday, the Thirtieth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5403 of 2016

BALU @ BALAMURUGAN

... PETITIONER/ACCUSED NO.3

Vs

1 THE INSPECTOR OF POLICE
K.PUDUPATTY POLICE STATION, PUDUKKOTTAI
DISTRICT. CR. NO.216/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S G.MATHAVAN 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 :-

The petitioner, who was arrested and remanded to judicial custody on 06.12.2015 for the offences punishable under Sections 147, 148, 294(b), 323, 302, 342, 387, 506(ii) IPC in Crime No.216 of 2015 on the file of the respondent police, seeks bail.

2. Heard Mr.G.Mathavan, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

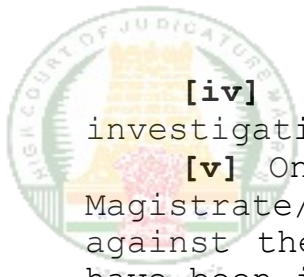
3. It is seen that this petitioner was arrested on 06.12.2015 and the final report has not been filed so far. Under such circumstances, the petitioner is entitled to statutory bail under Section 167(2) Cr.P.C.

4. In view of the above, this Court is of the view that this a fit case 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 learned District Munsif cum Judicial Magistrate, Thirumayam, Pudukottai District;

[ii] the petitioner shall report before the respondent police every day at 6.30 p.m. until further orders.

[iii] the petitioner shall not tamper with 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 learned 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 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]**.

[vi] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioner is complying with the condition or not.

sd/-

30/03/2016

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI
- 3 THE INSPECTOR OF POLICE
K.PUDUPATTY POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKKOTTAI
- 5 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5403 of 2016

Date :30/03/2016

AA/GSV-PM/SAR-I/04.04.2016/2p-6c