



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

Wednesday, the Sixth day of April Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.5936 of 2016

WEB COPY

SEENRAJ

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO. 93/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.SIVAKUMAR 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 08.02.2016, for the offences punishable under Sections 294(b), 332, 307 and 506(ii) I.P.C., in Crime No.93 of 2016, on the file of the respondent Police, seeks bail.

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

3. The learned Government Advocate (Criminal Side) submitted that the injured has been discharged from the hospital and there is no previous case as against the petitioner / accused, except the present case. Furthermore, the respondent Police, on completion of investigation in Crime No.93 of 2016, has filed a final report before the learned Judicial Magistrate No.I, Kuzhithurai, and the same has been taken on file, in P.R.C.No.12 of 2016, but the committal process is yet to be completed.

4. Taking into consideration the above facts and the nature of allegations made against the petitioner / accused, this Court is of the view that this is a fit case to grant bail to him. Accordingly, he is ordered to be released on bail, subject to the following conditions:

(i) the petitioner / 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.I, Kuzhithurai.

(ii) the petitioner / accused shall report before the learned Judicial Magistrate No.I, Kuzhithurai, daily at 10.30 a.m., until the committal proceedings are over.



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

(iv) the petitioner / 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 / accused in accordance with law as if the conditions have been imposed and the petitioner / 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]**.

5. The learned Judicial Magistrate No.I, Kuzhithurai, is directed to complete the committal process, in P.R.C.No.12 of 2016, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this Order.

6. 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 conditions or not.

sd/-

06/04/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KULITHURAI.
- 2 DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL,NAGERCOIL.
- 4 THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. CC to M/S S.SIVAKUMAR Advocate SR.No.19346

ORDER

IN

CRL OP(MD) No.5936 of 2016

Date :06/04/2016