



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

Thursday, the Twenty Eighth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.7376 of 2016

GOVINDARAJ

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT.
(CR.NO. 53/2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KARUNANITHI Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 20.03.2016, for the offences punishable under Sections 294(b), 323, 307 @ 294(b), 323 and 302 of I.P.C., in Crime No.53 of 2016, on the file of the respondent Police, seeks bail.

2. Heard Mr.M. Karunanithi, learned counsel appearing for the petitioner/Accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that there was a scuffle between the petitioner and the deceased on 13.03.2016, on account of which, the deceased was admitted in the hospital and he died on 20.03.2016 and the petitioner was arrested on 20.03.2016 and he is in custody from that date. There is no previous case against the petitioner. Even, in the First Information Report, it has been specifically stated that no weapons alleged to have been used in the attack and the investigation is almost over.

4. In such circumstances, this Court is of the view that this is a fit case to grant bail to the petitioner / Accused. 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-III, Thanjavur.
- (ii) the petitioner / Accused shall report before the respondent Police, daily at 6.30 p.m., until further orders.
- (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.



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(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 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.

sd/-

28/04/2016

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,THANJAVUR AT KUMBAKONAM.

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

4 THE INSPECTOR OF POLICE, SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S.M.KARUNANITHI Advocate SR.No.24818

ORDER IN
CRL OP(MD) No.7376 of 2016
Date :28/04/2016

PBK/NGM-SS/AR-I 28/04/2016 ::2P-7C::