



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

Wednesday, the Fourth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.7852 of 2016

M.GOWTHAM

... PETITIONER/ACCUSED No.6

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
PERAIYUR, MADURAI DISTRICT.
CR. NO.185/2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S K.PRABAKARAN, 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/Accused No.6, who was arrested and remanded to judicial custody on 16.12.2015, for the offences punishable under Sections 147, 148, 341, 302, 506(ii), 120(b) and 109 IPC, in Crime No.185 of 2015, on the file of the respondent Police, seeks bail.

2. Heard Mr.K.Prabakaran, learned counsel appearing for the petitioner /Accused No.6 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is the case of the prosecution that the petitioner was arrested on 16.12.2015 and on completion of investigation, final report has been filed and the case has been committed to the Court of Sessions in S.C.No.105 of 2016. It is also seen that the co-accused in this case have been granted bail in Cr.M.P.No.2344 of 2016, on 29.04.2016, by the learned Principal District and Sessions Judge, Madurai.

4. Taking into consideration the above said facts and circumstances of the case, this Court is of the view that this is a fit case to grant bail to the petitioner / Accused No.6. Accordingly, he is ordered to be released on bail, subject to the following conditions:

(i) the petitioner / Accused No.6 shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like



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sum to the satisfaction of the learned Judicial Magistrate Peraiyur, Madurai District.

(ii) the petitioner / Accused No.6 shall report before the Court concerned daily at 10.30 a.m., until further orders.

(iii) the petitioner / Accused No.6 shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner / Accused No.6 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 No.6 in accordance with law as if the conditions have been imposed and the petitioner / Accused No.6 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]**.

sd/-

04/05/2016

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

TO

1. THE JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI DISTRICT.
2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
PERAIYUR, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
5. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

+1. CC to M/S K.PRABAKARAN Advocate SR.No. 25862

ORDER

IN

CRL OP(MD) No.7852 of 2016

Date :04/05/2016