



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

Thursday, the Nineteenth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.8042 of 2016

S.M. SETTU

... PETITIONER/ACCUSED NO.1

Vs

STATE OF TAMIL NADU
REP THROUGH THE SUB INSPECTOR OF POLICE
MANIKANDAM POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.55/2016)

... COMPLAINANT

For Petitioner : M/S N.R.MURUGESAN Advocate
For Respondent : M/S.S.PRABHA,
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 09.05.2016 for the offences punishable under Sections 147, 148, 294(b), 324, 307 and 506(ii) I.P.C. in Crime No.55 of 2016, on the file of the respondent police, seeks bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. The learned Counsel for the petitioner submitted that the petitioner is innocent and the injured has already been discharged from the hospital.

4. The learned Government Advocate (Crl.Side) submitted that totally there are seven accused and the petitioner is arrayed as A.1 and it is a case and counter case.

5. Taking into consideration the fact that the injured has already been discharged from the hospital, this Court is inclined 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 for a like sum to the satisfaction of the learned Judicial Magistrate No.III,



(ii) the petitioner shall appear before the trial Court daily at 10.30 a.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]**;

sd/-
19/05/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III
TRICHIRAPPALLI
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHIRAPPALLI
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
 4. THE SUB INSPECTOR OF POLICE
MANIKANDAM POLICE STATION,
TRICHY DISTRICT.
 5. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- +1. CC to M/S N.R.MURUGESAN Advocate SR.No.26363
- RL/7C/2P/AAL/MPA/SARIII/20/5/2016

ORDER
IN
CRL OP(MD) No.8042 of 2016
Date :19/05/2016