

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.9339 of 2017

N. DURAISAMY,

[ PETITIONER / ACCUSED ]

Vs

INSPECTOR OF POLICE ,  
UTHUKULI POLICE STATION,  
TIRUPUR DT.  
CR.NO 94 OF 2017.

[ RESPONDENT ]

For Petitioner : M/S.N.STALIN Advocate

For Respondent : MR.K.MATHAN Govt. Advocate ( Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Heard both sides.

2.The petitioner, who was arrested and remanded to judicial custody from 21.03.2017 for the alleged offences punishable under Sections 120B, 302, 307 of I.P.C. in Crime No.94 of 2017 on the file of the respondent police, seeks bail.

3.Petitioner is arrayed as the first accused. According to the F.I.R. given by the wife of the deceased, on 18.03.2017, there was a quarrel between the deceased and one Senthil. Subsequently, on 19.03.2017, two persons came in a motor cycle and attacked the deceased with a wooden log and ran away. Based on the above complaint, a crime was registered against the unknown persons. Subsequently, the petitioner was arrested.

4.The learned counsel for the petitioner submitted that the petitioner is a neighbour to the deceased. The complainant very well know about the same and the petitioner's name is also not found in the F.I.R., but the police arrested the petitioner on 20.03.2017 itself and falsely implicated him as accused and hence, he may be released on bail.

5.The learned Government Advocate (Crl.Side) opposed for grant of bail to the petitioner.

6.Considering the facts and circumstances of the case and taking

note of the period of incarceration of the petitioner and also the fact that the petitioner is a neighbour to the deceased and crime was registered against unknown persons, this Court is inclined to grant the relief of bail to the petitioner.

7. Accordingly, it is ordered that the petitioner shall 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 Judicial Magistrate, Avanashi and on further condition that

(ii) The petitioner shall stay at Erode and report before the Erode Town Police Station, Erode, daily at 10.00 a.m. for a period of four weeks and thereafter, shall report before the respondent police as and when required for interrogation.

-sd/-

18/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
AVANASHI

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUPPUR[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE

5 INSPECTOR OF POLICE ,  
UTHUKULI POLICE STATION,  
TIRUPUR DT.

6 THE OFFICER INCHARGE  
ERODE TOWN POLICE STATION,  
EERODE

+2 CC to M/S.N.STALIN Advocate on payment of necessary charges  
SR.NO. 9165

CRL OP.9339/2017

Date :18/05/2017

RD 18/05/2017