



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

Thursday, the Fourteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11795 of 2017

KULANTHAIVELU

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
UTHIRAKOSAMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.56 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI Advocate

For Respondent : M/S.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

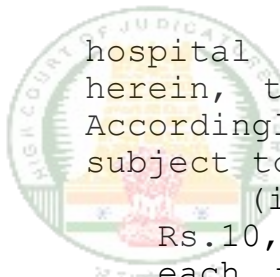
The petitioner/sole accused, who was arrested and remanded to judicial custody on 14.08.2017 for the offences punishable under Sections 365, 307, 379 and 511 of I.PC in Crime No.56 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to business motive, the accused took the defacto complainant in the car belonging to the de facto complainant and he is said to have attacked him with knife, on the neck, back and head of the de facto complainant and caused injuries.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent would submit on instructions that the petitioner herein is the sole accused in this case. He would further submit that both the petitioner and the de facto complainant are Taxi drivers and the vehicle was recovered from the petitioner herein and the injured was discharged from the hospital and the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the



hospital and that the vehicle was recovered from the petitioner herein, 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, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram-District.

(ii) the petitioner shall appear before the respondent Police daily at 10.30 am until further orders;

(iii) the petitioner shall not tamper with the 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 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 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/-

14/09/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 4. THE INSPECTOR OF POLICE
UTHIRAKOSAMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.D.BALAMURUGAPANDI, Advocate SR.No.30677

ORDER

IN

CRL OP(MD) No.11795 of 2017

Date :14/09/2017