



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

Tuesday, the Seventh day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1283 of 2017

ANANTH

... PETITIONER / ACCUSED / A1

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
NAGAMALAIPUDUKKOTTAI POLICE STATION,
MADURAI WEST TALUK,
MADURAI DISTRICT.
IN CRIME NO. 229 OF 2008

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.PRABHAKARAN Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

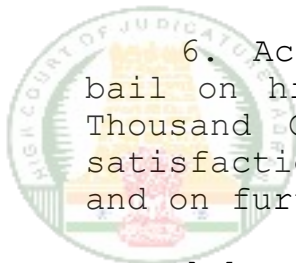
The petitioner, who was arrested and remanded to judicial custody on 02.12.2016, for the offences punishable under Section 323 of IPC and Section 3(1)(x) of SC/ST (PA) Act, 1989, in Crime No.229 of 2008, seeks bail.

2. The case of the prosecution is that the petitioner, due to previous motive, intercepted the defacto complainant and used filthy languages against her caste.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any such offence, as alleged by the prosecution. He would further submit that the petitioner was released on bail in Crime No.617 of 2016 and Crime No.619 of 2016 on 23.12.2016 itself.

4. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally four accused in this case and the petitioner herein is A1 and charge sheet was laid and pending as PRC.No.3 of 2010, on the file of the learned Judicial Magistrate No.VI, Madurai. He would further submit that an NBW has been issued as against A2 and is pending and A3 and A4 are appearing before the concerned Court. The petitioner herein was made formal arrest on 06.12.2016, since he was arrested in connection with some other cases and was in jail.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner in jail from 06.12.2016 onwards, this Court is inclined to grant bail to the petitioner subject to certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 No.VI, Madurai, and on further condition that:

[a] the petitioner shall report before learned Judicial Magistrate No.VI, Madurai, daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness during trial.

[c] the petitioner shall not abscond either during trial.

[d] 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/-
07/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV.
MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
NAGAMALAIPUDUKKOTTAI POLICE STATION,
MADURAI WEST TALUK,
MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.1283 of 2017
Date : 07/02/2017