



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

Thursday, the Fifth day of October Two Thousand Seventeen
PRESENT

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

WEB COPY

CRL OP(MD) No.13008 of 2017

RAMESH ... PETITIONER/SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM.
(CRIME NO. 164 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI Advocate

For Respondent : MR.T.MOHAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

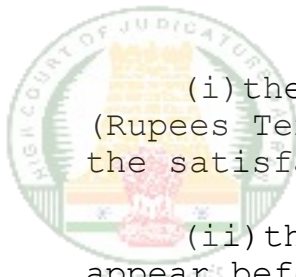
The petitioner / sole accused, who was arrested on 23.07.2017 for the offences punishable under Sections 294(b), 324 @ 302 IPC in Crime No.164 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the deceased, the petitioner attacked the deceased with scissors on the left side stomach and also on the right side chest of the deceased. Due to the same, the deceased died in the hospital on 23.07.2017.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that there is no bad antecedent as against the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner is the sole accused and investigation is almost completed and awaiting for viscera report. He also submitted that the petitioner is not having any previous case.

5.Considering the facts and circumstances of the case and considering the fact that investigation is completed and awaiting for viscera report and also the period of incarceration of the petitioner in jail, 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, Rameswaram;

(ii) the petitioner is directed to stay at Ramanathapuram and appear before the Sessions Court concerned daily at 10.30 a.m. 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/-
05/10/2017

/ TRUE COPY /

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

NBJ

TO

1 THE JUDICIAL MAGISTRATE, RAMESWARAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3 THE DISTRICT AND SESSIONS JUDGE, RAMANATHAPURAM

4 THE INSPECTOR OF POLICE, RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

6. THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.32179

GJM/CM/MSA/SAR-2-5.10.17-2P-8C

ORDER
IN
CRL OP(MD) No.13008 of 2017
Date : 05/10/2017