

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

Tuesday, the Fourteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14299 of 2017

WEB COPY

KANNAN

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY.,
THE INSPECTOR OF POLICE,
DEVAANAPATTI POLICE STATION,
PERIYAKULAM,
THENI DISTRICT.
(CRIME NO.345 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SANKARA NARAYANAN Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

For Intervenor : MR.P.GANAPATHI SUBRAMANIAN, Advocate

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

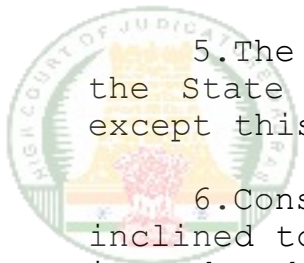
ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 29.08.2017, for the offences punishable under Sections 147, 148, 452, 324 of I.P.C., and Section 25(1A) of Arms Act and Section 9(B)(1)(b) of Explosive Act, in Crime No.345 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that one Thangapandian lodged a complaint on 05.07.2017, as if he is working as a Manager in the Sripuram Plot located in Devadanapatti, Periyakulam Taluk, wherein, the petitioner and other accused persons entered into the defacto complainant's property and attacked him with deadly weapons and thereby, the defacto complainant and other office bearers sustained injuries and have taken treatment as out-patients.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution.

4.The learned counsel appearing for the intervenor would submit that one Muthulakshmi and Solaiyappan were partners of the real estate business, thereafter due to some misunderstanding between the partnership, she left the partnership and the said Solaiyappan engaged the hooligans in order to grab the property of the defacto complainant.



5.The learned Government Advocate (Criminal side) appearing for the State submitted that other accused persons released on bail, except this petitioner and investigation is almost completed.

6.Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner. Accordingly,The petitioner is ordered to be released on bail, subject to the following certain conditions. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like-sum to the satisfaction of the learned Judicial Magistrate Court, Periyakulam, Theni District;

- (i) the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii)the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv)the petitioner shall not commit any offence while on bail;
- (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 and the bail granted stands cancelled automatically.

sd/-
14/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM, THENI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI
- 3 THE INSPECTOR OF POLICE,
DEVAANAPATTI POLICE STATION,PERIYAKULAM, THENI DISTRICT.
- 4 THE SUPERINTENDENT,CENTRAL JAIL, MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.V.SANKARA NARAYANAN Advocate SR.No.34330

ORDER IN
CRL OP (MD) No.14299 of 2017
Date :14/11/2017