



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

Friday, the Tenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15363 of 2017

KATHIRVEL

... PETITIONER / ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.538/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.SENTHIL KUMAR, Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

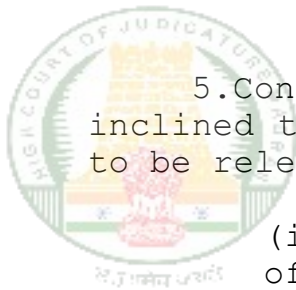
ORDER : The Court Made the following order :-

The petitioner/Accused No.4, who was arrested and remanded to judicial custody on 08.10.2017, for the offences punishable under Sections 147, 148, 249(b), 324, 307 and 506(ii) of I.P.C., and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.538 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner defamed the defacto complainant's daughter, while celebrating the temple festival in their village. Therefore, there was a wordy quarrel between the petitioner and the defacto complainant and thereby, the petitioner abused the defacto complainant and his daughter in filthy language and attacked them, due to which the defacto complainant sustained injuries and admitted in the hospital. Hence, the defacto complainant lodged a complaint against the petitioner before the respondent police.

3.The learned counsel appearing for the petitioner would submit that he is an innocent and he did not commit any offence as alleged by the prosecution. He further submitted that the defacto complainant has falsely implicated the case against him.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that injured person was discharged from the hospital.



5. Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner. The petitioner is ordered to be released on bail, subject to the following certain conditions.

- (i) 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, Sankarankovil;
- (ii) the petitioner shall report before the concerned Court, daily at 10.30 a.m., until further orders;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial;
- (v) the petitioner shall not commit any offence while on bail;
- (vi) 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/-
10/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SANKARANKOIL.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE OFFICER INCHARGE, JUVENILE JUSTICE BOARD, NANGUNERI.
4. THE INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE STATION, TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.J.SENTHIL KUMAR Advocate SR.No.34174

ORDER
IN
CRL OP(MD) No.15363 of 2017
Date :10/11/2017