



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

Tuesday, the Fourteenth day of March Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.2201 of 2017

MADHAVAN

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MANNACHANALLUR POLICE STATION,
TRICHY DIST.
(CR.NO.6 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.KARUNANITHI 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 / A1, who was arrested on 04.01.2017 for the offences punishable under Sections 392 read with 397 of IPC in Crime No.6 of 2017 on the file of the respondent police, seeks bail.

2.The learned Government Advocate(Crl. Side) submitted that the earlier bail application moved on behalf of the petitioner herein in Crl.O.P.(MD).No.522 of 2017 was dismissed by this Court as per order dated 18.01.2017 and the present petition is the second application moved on behalf of the petitioner herein. Investigation was also completed in this case. There are two accused in this case and both are arrested. The petitioner is in judicial custody from 04.01.2017 onwards. It is admitted that no detention order so far passed against the petitioner under Goondas Act.

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 for statistic purpose only. He would further submit that the petitioner is in prison from 04.01.2017 onwards.

4.Considering the facts and circumstances of the case and also the fact that the investigation is completed in this case and the period of incarceration of the accused in the jail from 04.01.2017,



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.III, Trichy;

(ii) the petitioner is directed to appear before the Magistrate 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/-

14/03/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III
TRICHY.
2. -DO-THRO CHIEF JUDICIAL MAGISTRATE, TRICHY.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE, MANNACHANALLUR
POLICE STATION, TRICHY DIST.
5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.KARUNANITHI Advocate SR.No.14538
PJL
JS/SV/MMS/14.02.2017/2P-7C /SAR.3

ORDER

IN

CRL OP(MD) No.2201 of 2017

Date :14/03/2017