



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

Tuesday, the Seventh day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.2442 of 2017

MARIMUTHU

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.3 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PT.RAMESH RAJA Advocate

For Respondent : K.V.RAJARAJAN Govt. Advocate

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

ORDER : The Court Made the following order :-

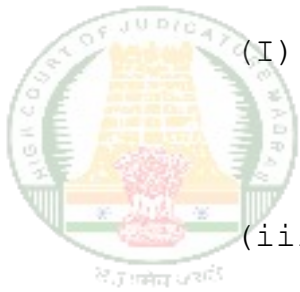
The petitioner, who is arrayed as accused, is arrested and remanded to judicial custody on 23.01.2017 for the alleged offence punishable under Section 364(A) of IPC in Crime No.3 of 2017, on the file of the respondent police and hence, seeks bail.

2.The learned counsel appearing for the petitioner submits that the son of the de facto complainant demanded a sum of Rs.1,20,000/- for the accused. When the petitioner's brothers meet to pay money, he has given a false complaint, as if the son of the defacto complainant was kidnapped for ransom.

3. The learned Government Advocate (Crl. Side) submitted that there are few more accused to be apprehended in this case and therefore, bail should not be granted.

4. A perusal of the CD file and the statements of the witnesses in this case would go to show that there was some illegal transaction between the defacto complainant's son and the accused. Pursuant to that, there was some quarrel and due to that, complaint has been given.

5. In the light of the above, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:



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- (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 learned District Munsif - Cum - Judicial Magistrate Natham.
- (iii) the petitioner shall stay at Trichy and report before the Inspector of Police, Rockfort Police Station, Trichy, daily at 9.30 am until further orders.
- (iv) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (v) the petitioner shall not abscond either during investigation or trial.
- (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 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

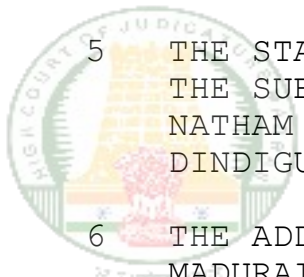
sd/-
07/03/2017

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

TO

- 1 THE LEARNED DISTRICT MUNSIF - CUM - JUDICIAL MAGISTRATE NATHAM,
DINDIGUL DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 OFFICER IN CHARGE,
SUB-JAIL,
DINDIGUL.
- 4 THE INSPECTOR OF POLICE,
ROCKFORT POLICE STATION,
TRICHY.



5 THE STATE REP. BY
THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.

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

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+1. CC to M/S.PT.RAMESH RAJA Advocate SR.No.12911

ORDER

IN

CRL OP (MD) No.2442 of 2017

Date :07/03/2017

MKV-SV-MMS-SAR 2/7.3.2017/3P-8C