



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

Wednesday, the Twelfth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.3781 of 2017

DEVAJERIN

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT,
CR.NO. 47/2017

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.VINAYAGAN Advocate

For Respondent : M/S K.V.RAJARAJN, Govt. Advocate (Crl. Side)

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

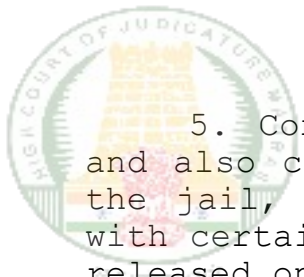
ORDER : The Court Made the following order :-

The petitioner/Accused rank not known, who was arrested and remanded to judicial custody on 09.03.2017 for the alleged offences punishable under Section 147, 148, 294(b), 307 and 506(ii) of I.P.C., and Section 3(i) of Prevention of Damage to Public Property Act, 1984, in Crime No.47 of 2017 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner herein along with other accused persons attacked the victim with iron rod and used filthy language at Paruthivilai Junction and also caused damage to the side mirror of the bike belonged to one Jeenu.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected to this crime. He further submitted that he is falsely implicated in this case and prays for bail.

4.The learned Government Advocate(Crl. Side) appearing for the respondent on instructions would submit that the injured person was treated as out patient and discharged on the same day. This petitioner was arrested on 09.03.2017 and according to the learned Government Advocate (Crl.Side) the victim has sustained only simple injury.



5. Considering the above facts and circumstances of the case and also considering the period of incarceration of the accused in the jail, this Court is inclined to grant bail to the petitioner with certain condition. 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 learned Judicial Magistrate No.1, Nagercoil;

(ii) the petitioner shall appear before the respondent police 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.

sd/-

12/04/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO. I, NAGERCOIL.

2. DO-TROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

3. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.K.VINAYAGAN Advocate SR.No.20050

ORDER

IN

CRL OP(MD) No.3781 of 2017

Date : 12/04/2017