



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

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP(MD) No.6228 of 2017

SOBIYA

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KARUR.

(CR.NO.5/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/accused No.2, who was arrested and remanded to judicial custody on 22.04.2017 for the offence punishable under Section 294(b), 323, 494 and 506(i) of I.P.C., in Crime No.5 of 2016 on the file of the respondent police, seeks bail.

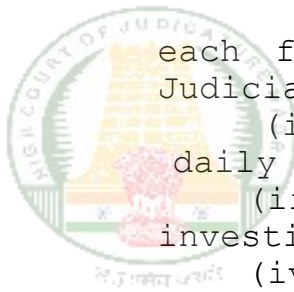
2. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he is in custody for more than one month and hence he may be granted bail.

3. The learned Government Advocate (Criminal side) would submit that due to some misunderstanding, the petitioner left the matrimonial home on 21.9.2015. Further without properly divorcing the defacto complainant, she married another person one Sathiyamoorthy on 16.12.2015 and after knowing the facts, the defacto complainant questioned the petitioner, for that the petitioner along with other accused abused the defacto complainant with filthy language and also threatened him with dire consequences.

4. Considering the facts and circumstances of the case, this Court grants bail to the petitioner subject to the following conditions:

<https://hcservices.ecourts.gov.in/hcservices/>

(1) 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.II, Karur;

(ii) the petitioner shall report before the trial Court daily at 10.30 a.m. until further orders;

(iii) The petitioner shall not abscond either during investigation or trial;

(iv) 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];

sd/-

24/05/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KARUR.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
 - 3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, TIRUCHIRAPPALLI.
 - 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KARUR.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.22616

ORDER

IN

CRL OP(MD) No.6228 of 2017

Date :24/05/2017

MKV-PN-SAR 3/24.5.2017/2P-7C