



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

Wednesday, the Fourteenth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.7218 of 2017

AYYANAR

... PETITIONER/ ACCUSED NO.4

Vs

STATE : INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT
CRIME NO. 430/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. V. KANNAN Advocate

For Respondent : MR.C.RAMESH, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/4th accused, who was arrested and remanded to judicial custody on 03.06.2017, for the alleged offence punishable under Sections 147, 148, 294(b), 324, 506(ii) IPC, which then altered into Sections 147, 148, 294(b), 324, 506 (ii), 307 IPC in Crime No.430 of 2017, on the file of the respondent/Police, seeks bail.

2.Heard Mr.V.Kannan, learned counsel appearing for the petitioner/accused and Mr.C.Ramesh, learned Additional Public Prosecutor appearing for the State.

3.The case of the prosecution is that on 29.05.2017, due to civil dispute, this petitioner along with others attacked the defacto-complainant, namely, Periyakaruppan and others, in which the defacto-complainant sustained injuries. On the complaint given by Periyakaruppan, the respondent/Police registered the present case.

4.The learned counsel appearing for the petitioner/accused contended that the petitioner is no way connected with the alleged offence and he is innocent and he has been falsely implicated in this case.

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5.The learned Additional Public Prosecutor submitted that



the petitioner/accused along with others attacked the defacto-complainant, due to a civil dispute, in which the defacto-complainant sustained injuries. The learned Additional Public Prosecutor further submitted that the injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case, 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 learned Judicial Magistrate No.1, Sivagangai.
- (ii) the petitioner shall report before the Investigation Officer, 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) 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/-
14/06/2017

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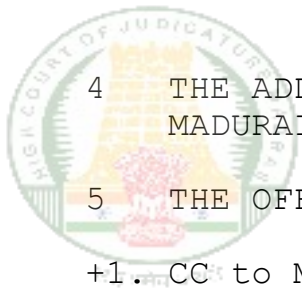
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GK/RMK
TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI

2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

3
<https://hcservices.mca.gov.in/hcservices>
OFFICE OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT



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

5 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI

+1. CC to M/S. V. KANNAN Advocate SR.No.24226

GJM/CM/SAR-I-15.6.17-3P-7C

ORDER

IN

CRL OP(MD) No.7218 of 2017

Date :14/06/2017