



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

Wednesday, the Second day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9720 of 2017

S.SATHISH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
BUDALUR POLICE STATION,
THANJAVUR DISTRICT.
IN CRIME NO. 134 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JANATH AHMED Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

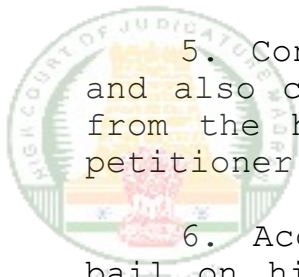
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.06.2017, for the offences punishable under Sections 294(b), 341, 307 of IPC., in Crime No.134 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to land dispute, the petitioner said to have attacked the uncle of the petitioner with aruval and thereby caused injuries.

3. The learned counsel appearing for the petitioner states that the petitioner has not committed any offence, as alleged by the prosecution and the case was foisted against the petitioner herein. He would further submit that originally, the petitioner was attacked by the victim with wooden log and the petitioner and the injured are close relatives.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the petitioner herein is the sole accused in this case and he said to have attacked with aruval and caused 10 multiple cut injuries all over the body of the uncle of the defacto complainant in this case. The injured was discharged from the hospital on 11.07.2017 and the investigation is still pending. He also submitted that there is no bad antecedents against the petitioner herein.



5. Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Thiruvaiyur, and on further condition that:

[a] the petitioner shall stay at Madurai and to report before the learned Judicial Magistrate, Madurai, daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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/-

02/08/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, THIRUVAIYUR.

2 THE JUDICIAL MAGISTRATE, MADURAI.

3 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

4 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

6 THE INSPECTOR OF POLICE,
BUDALUR POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to M/S.B.JANATH AHMED Advocate SR.No.27896

ORDER IN
CRL OP(MD) No.9720 of 2017
Date :02/08/2017