



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

Wednesday, the Twenty Sixth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9722 of 2017

NAIJU

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
ERVADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO. 133 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI 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 / sole accused, who was arrested on 15.07.2017 for the offences punishable under Sections 294(b), 324 and 307 IPC in Crime No.133 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the brother of the de facto complainant frequently speaking with the wife of the accused and due the same a wordy quarrel arose between the petitioner and the brother of the de facto complainant and that the petitioner attacked him with wooden stick and caused injury.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the brother of the de facto complainant misbehaved with the wife of the petitioner and hence, a wordy quarrel arose between them.

4.The learned Additional Public Prosecutor submitted that the petitioner is the sole accused. He further submitted that injured was discharged from the hospital and investigation is pending.

5.Considering the facts and circumstances of the case and considering the fact that injured was discharged from the hospital, 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 Judicial Magistrate No.II, Ramanathapuram;

(ii) the petitioner is directed to 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-

26/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE
ERVADI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

5 THE OFFICER INCHARGE, SUB JAIL, RAMANATHAPURAM

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.27285

NBJ

CSL/RR-BS/SAR-I/28.07.2017 : 2P/7C

ORDER

IN

CRL OP(MD) No.9722 of 2017

Date : 26/07/2017