



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

Wednesday, the Fourth day of January Two Thousand Seventeen

WEB COPY

PRESENT

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

CRL OP(MD) No.24029 of 2016

1 GANESAN ALIAS MUTHUGANESAN

2 PANDIYAN,

...PETITIONERS/ACCUSED Nos.4 & 5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE (L&O)
E-3 ANNANAGAR POLICE STATION,
MADURAI CITY.

CR. NO. 2861 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SOLAISAMY Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.4 and 5, were arrested on 10.12.2016 for the offences punishable under Sections 147, 148, 342, 323, 307 and 506(ii) of I.P.C., in Crime No.2861 of 2016 on the file of the respondent police, seeks bail.

2. The learned Government Advocate (Crl.side) appearing for the respondent states that totally there are 5 accused in this case. The petitioners herein are A4 and A5 and they were arrested and in custody from 10.12.2016. A1 was also arrested and he is in custody and A2 and A3 are still absconding. He further states that the petitioners are having wooden log and they have attacked the de-facto complainant and pushed her down.

3. The learned counsel appearing for the petitioners would submit that the injured is the husband of the de-facto complainant and the de-facto complainant is not admitted in the hospital.

4. Considering the above facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners.

Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Madurai.

(ii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

04/01/2017

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUPERINTENDENT
CENTRAL PRISON,
MADURAI.

5 THE INSPECTOR OF POLICE (L&O)
E-3 ANNANAGAR POLICE STATION, MADURAI CITY.

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.401.

ORDER

IN

CRL OP(MD) No.24029 of 2016

Date :04/01/2017