



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

Friday, the Sixteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20486 of 2018

U.MARUTHAKASI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ERVADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CRIME NO.95 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MALAIKANI Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 03.11.2018 for the offences punishable under Sections 294(b), 324, 307 and 506(ii) IPC in Crime No.95 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the de-facto complainant's father and mother went to their field, the petitioner, who is the adjacent land owner, was doing pruning works on the boundary between their lands and the same was questioned by the de-facto complainant's father, the petitioner attacked him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor would submit that injured discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

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 No.II, Ramanathapuram, and on further condition that:

[a] the petitioner shall report before the respondent police weekly twice i.e., Monday and Friday at 10.30 am, until further orders and thereafter, as and when required for interrogation.

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

[c] the petitioner shall not tamper with evidence or witness 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 petitioners 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

16/11/2018

/ 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. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE OFFICER INCHARGE, DISTRICT JAIL,
RAMANATHAPURAM DISTRICT.
 4. THE INSPECTOR OF POLICE,
ERVADI POLICE STATION, RAMANATHAPURAM DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.MALAIKANI Advocate SR.No.21692

ORDER

IN

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Date :16/11/2018

MS/VR-MMS/SAR-4/19.11.2018/2P.7C