



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

Tuesday, the Third day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.4795 of 2018

SURESH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
KOTTICODE POLICE STATION,
KANYAKUMARI DISTRICT,
IN CR.NO. 12/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SURI Advocate

For Respondent : MR.PRABU RAMACHANDRAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as sole accused. He was arrested by the respondent police on 20.01.2018 and remanded to judicial custody. The case against him is for the offences punishable under Sections 294(b), 341 and 307 IPC and Section 3(i) of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.12 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner threatened the de-facto complainant and attacked him, so as to compel him to withdraw the earlier case lodged by the de-facto complainant against him. On complaint, the case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the case, that is referred in the present crime number has already been charge sheeted and the de-facto complainant has also been examined as a witness in the said case. Therefore, the question of withdrawing the said case will not arise.

4.The learned Government Advocate (Criminal side) submitted that there are as many as four previous cases pending against the petitioner and he opposed grant of bail to the petitioner.



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days, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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, Padmanabhapuram.
- (ii) The petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.
- (iii) The petitioner shall not abscond.
- (iv) 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/-

03/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER IN CHARGE,
DISTRICT PRISON, NAGERCOIL.
- 4 THE SUB INSPECTOR OF POLICE
KOTTICODE POLICE STATION, KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SURI Advocate SR.No.5288

ORDER

IN

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Date :03/04/2018