



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

Monday, the Ninth day of April Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.5498 of 2018

WEB COPY

S. BALUCHAMY

... PETITIONER / ACCUSED No.A5

Vs

1 THE STATE REP. BY

THE SUPERINTENDENT OF CENTRAL PRISON,
CENTRAL PRISON, MADURAI.

... 1st Respondent / Respondent

2 THE INSPECTOR OF POLICE,

NAINARKOVIL POLICE STATION,

RAMANATHAPURAM DISTRICT, IN CR.NO. 18/2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

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

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

ORDER : The Court Made the following order :-

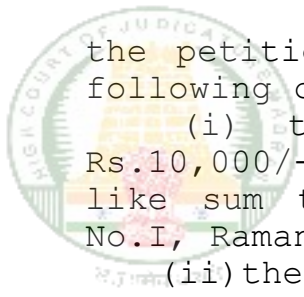
The petitioner is arrayed as Accused No.5. He was arrested and remanded to judicial custody on 19.02.2018 for the offences punishable under Sections 294(b), 324, 307 and 506(ii) I.P.C., @ Sections 120(b), 147, 148, 294(b), 506(ii) and 302 I.P.C., in Crime No.18 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that due to previous enmity on 17.02.2018 while the deceased was lying in the chilly garden of the defacto complainant for watching the chillies, the petitioner and other accused in this case stabbed the deceased Muniyasamy with knife upon the stomach and chest.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person he has not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioner.

4.The learned Government Advocate(Criminal Side) submitted that no previous case is pending against the petitioner and he further submitted that the co-accused has already been granted bail.

5.Taking note of all these aspects, 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 No.I, Ramanathapuram.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) 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/-

09/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.1,
RAMANATHAPURAM.
 - 2 DO THOUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
 - 4 THE SUPERINTENDENT OF CENTRAL PRISON,
CENTRAL PRISON, MADURAI.
 - 5 THE INSPECTOR OF POLICE,
NAINARKOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.MURUGAN Advocate SR.No.5646.

ORDER

IN

CRL OP(MD) No.5498 of 2018

Date :09/04/2018