



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

Wednesday, the Fifth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21462 of 2018

K.RAVIKUMAR @ DOG RAVI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUMANGALAM POLICE STATION,
MADURAI DISTRICT.
IN CRIME NO.637 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.KARTHICK SUBRAMANIAN, Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 23.11.2018 for the offence punishable under Sections 294(b), 307 IPC and Section 3 (1) of TNPPDL Act, in Crime No.637 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein had borrowed some money from the defacto complainant. When the defacto complainant demanded to repay the said amount, the petitioner is said to have attempted to assault the defacto complainant with broken glass. Hence, the complaint has been registered.

3.The contention of the petitioner is that the police officials have come to the house of the petitioner at about 11.58 a.m., on 23.11.2018 and have taken the petitioner at about 12.05 a.m., with them. But, the alleged occurrence is stated to be taken place at 02.00 p.m.. He further submitted that this is a false case, which has been foisted against the petitioner.

3. The learned Government Advocate (Crl.Side) would submit that there are several cases pending against the petitioner. He would further submit that other than one case, which is pending before the learned Judicial Magistrate, Dindigul, all the other cases were



ended in acquittal. It is further submitted that no one is injured in this case.

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, Thirumangalam and on further condition that:

[a] the petitioner shall report before the respondent police daily twice morning at 10.30 a.m., and evening at 04.30 p.m.

[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 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]**.

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

sd/-

05/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUMANGALAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE
THIRUMANGALAM POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.KARTHICK SUBRAMANIAN Advocate SR.No.22673

ORDER IN

CRL OP(MD) No.21462 of 2018
Date :05/12/2018