



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

Tuesday, the Eleventh day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21507 of 2018

GURUNATHAN

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOPPAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.
CRNO.106/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.PRABU, 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 :-

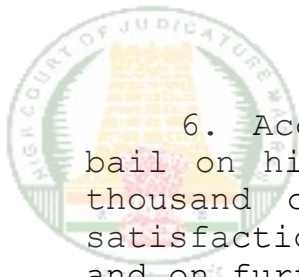
The petitioner was arrested and remanded to judicial custody since 07.11.2018 for the offences punishable under Sections 294(b), 307 and 506(ii) I.P.C, in Crime No.106 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, the petitioner assaulted the defacto complainant and threatened him with dire consequences. 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. Hence, he prayed for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is having previous cases and he is the history sheeted rowdy.

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, Kovilpatti and on further condition that:

[a] the petitioner shall report before the Krishnakiri Town Police Station, daily at 10.30.a.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]**.

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

sd/-

11/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
PERAVURANI, THOOTHUKUDI.
4. THE INSPECTOR OF POLICE,
KOPPAMPATTI POLICE STATION, THOOTHUKUDI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
KRISHNAKIRI TOWN POLICE STATION,
KRISHNAKIRI.

+1. CC to Mr.M.PRABU Advocate SR.No.23016

ORDER

IN

CRL OP(MD) No.21507 of 2018

Date :11/12/2018