



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

Tuesday, the Twenty Fourth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6631 of 2018

P.BASKARAN

... PETITIONER / ACCUSED NO.A1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.9 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate
For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
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.1. He was arrested on 30.01.2018 by the respondent police and remanded to judicial custody. The case against him is for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 IPC, in Crime No.9 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 16.01.2018, there was a wordy quarrel between the petitioner and others, as a result of which, the petitioner and other accused unlawfully assembled with deadly weapons, restrained the de-facto complainant and attacked him and caused injuries.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and the co-accused were already arrested and released on bail.

4.The learned Government Advocate (Criminal side) submitted that the injured in this case had already been discharged from the hospital and the petitioner is having number of previous cases to his credit. Therefore, he opposed for grant of bail to the petitioner. However, the learned counsel appearing for the petitioner submitted that the petitioner is out on bail in all those cases.



5.Considering the facts and circumstances of the case and also considering the fact that the injured in this case had already been discharged from the hospital, 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 shall appear before the respondent police as and when required for interrogation.
- (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/-
24/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.MURUGAN Advocate SR.No.6907

ORDER IN
CRL OP(MD) No.6631 of 2018
Date :24/04/2018