



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

Wednesday, the Twelfth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21914 of 2018

MUTHUPANDI @ SYED ABUTHAHIR

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
Crime No.329/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.SENTHIL 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 27.11.2018 for the offence punishable under Section 307 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.329 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein is the son of the defacto complainant. The petitioner himself converted his religion to muslim community and the same was questioned by the defacto complainant. Due to the same, the petitioner herein attacked the defacto complainant with knife and caused injuries.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has noting to do with the alleged occurrence.

4.The learned Additional Public Prosecutor for the respondent submitted that the injured discharged from the hospital.

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 with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on her 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 Court, Paramakudi and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders.

[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/-

12/12/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, PARAMAKUDI.

2.THE CHIEF JUDICIAL MAGISTRATE,RAMANATHAPURAM DISTRICT.

3.THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.

4.THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.D.SENTHIL Advocate SR.No.23165

ORDER

IN

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Date :12/12/2018