



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

Wednesday, the Nineteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21965 of 2018

KARTHIKEYAN @ KARTHIK

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
NADUCAUVERY POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.202/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.SIVASUBRAMANIAN, 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 :-

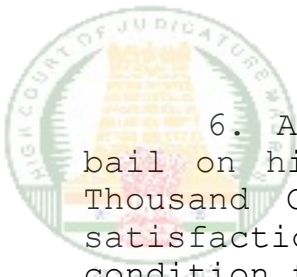
The petitioner is in judicial custody since 05.11.2018 for the offences punishable under Sections 294(b), 323 and 307 of IPC in Crime No.202 of 2018 on the file of the respondent police and seeks bail.

2.The case of the prosecution is that the while discussing about the marriage prospects of one of their family girl, the petitioner herein attacked the defacto complainant with aruval.

3.The learned counsel for the petitioner would submit that a false case has been foisted against the petitioner and he has nothing to do with the alleged offence. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate(Crl.Side) would submit that it is a family dispute and that the injured has been discharged from the hospital.

5.Considering the above facts and circumstances and also the period of incarceration and also the fact that the injured has been discharged from the hospital, 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 Judicial Magistrate, Thiruvaiyaru and on further condition that:

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

[b] the petitioner shall not tamper with evidence or witness either during trial.

[c] the petitioner shall not abscond 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 229 A IPC.

sd/-

19/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 4. THE INSPECTOR OF POLICE,
NADUCAUVERY POLICE STATION, THANJAVUR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.A.SIVASUBRAMANIAN Advocate SR.No.23568

ORDER

IN

CRL OP(MD) No.21965 of 2018

Date :19/12/2018

MS/PN-AC/SAR-2/19.12.2018/2P.7C