



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

Wednesday, the Twelfth day of December Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21953 of 2018

G.MAYANDI @ KATTA MAYANDI

...PETITIONER/SOLE ACCUSED

Vs

1 STATE REP.BY

THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.255/2018)

... 1st RESPONDENT/ COMPLAINANT

2 GOMATHI KANNAN

...2nd RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : Mr.S.SATHYA CHIDAMBARAM, Advocate

For Respondent 1: Mr.S.CHANDRASEKAR, Additional Public Prosecutor

For Respondent 2: Mr.GOMATHI KANNAN - Party in Person

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

ORDER : The Court Made the following order :-

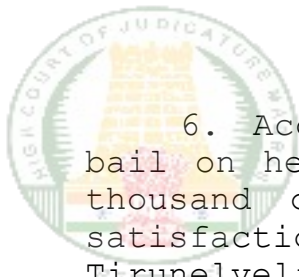
The petitioner was arrested and remanded to judicial custody since 23.11.2018 for the offence punishable under Sections 341, 294 (b), 387, 506(ii) IPC in Crime No.255 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner asked money from the defacto complainant, but he refused the same and hence, the petitioner abused him and threatened him with dire consequences.

3.The second respondent / defacto complainant appeared before this Court and also filed an affidavit stating that the respondent police forcibly got signature and foisted a false case against the petitioner.

4.The learned Additional Public Prosecutor for the respondent submitted that the investigation is pending.

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, Cheranmahadevi, Tirunelveli District and on further condition that:

WEB COPY

[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, CHERANMAHADEVI,
TIRUENLVELI DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUENLVELI DISTRICT.
 3. THE SUPERINTENDENT, CENTRAL JAIL,
PALAYAMKOTTAI, TIRUENLVELI DISTRICT.
 4. THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.SATHYA CHIDAMBARAM Advocate SR.No.23112

ORDER

IN

CRL OP(MD) No.21953 of 2018

Date :12/12/2018