



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

Wednesday, the Fourteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20345 of 2018

PANJANDI @ PETHURAMANI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO.338 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.AJMEER KAJA, Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

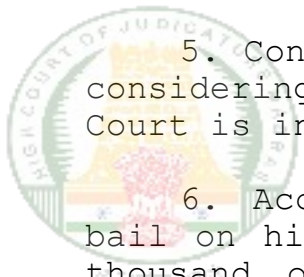
ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 18.09.2018 for the offences punishable under Sections 341, 294 (b) and 506(ii) IPC in Crime No.338 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner way laid the defacto complainant for demanding money and the same was refused, due to which, the petitioner abused him with filthy language and threatened with dire consequences.

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. The learned counsel for the petitioner further submitted that he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) would submit that investigation in Crime No.338 of 2018 on the file of the respondent police has been completed and the respondent laid the charge sheet before the learned Judicial Magistrate No.3, Tirunelveli and the same was taken on file in C.C.No.256 of 2018 and the case is posted for framing of charges. The learned Government Advocate (Crl.side) further submitted that he is involved in eight cases and in all these cases, he was released on bail.



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.III, Tirunelveli, and on further condition that:

[a] the petitioner shall report before the trial Court on all hearing dates.

[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/-

14/11/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUB INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYMKOTTAI, TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.AJMEER KAJA Advocate SR.No.21523

ORDER IN

CRL OP(MD) No.20345 of 2018

Date :14/11/2018

MS/MMS/SAR-4/14.11.2018/2P.7C