



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

Tuesday, the Twenty Eighth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15203 of 2018

AYYAPPAN

... PETITIONER/ SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
CHERANMAHADEVI,
Crime No.115 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.N.PRAGALATHAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

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

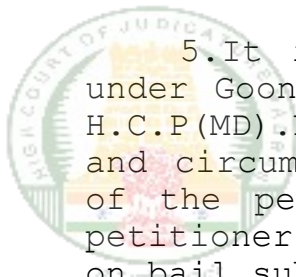
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 14.06.2018 for the offences punishable under Sections 341, 294(b), 387, 307 and 506(ii) I.P.C in Crime No.115 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 14.06.2018 at about 9.00 a.m, the petitioner waylaid the defacto complainant and abused him by using filthy language. That apart, he threatened the defacto complainant with dire consequences and demanded five bottles of liquor. When the same was refused by the defacto complainant, the petitioner trying to assault the defacto complainant. Hence, the case has been registered.

3.The learned counsel for the petitioner would submit that a false case has been registered against the petitioner. He was detained under Goondas Act and subsequently, the same was quashed by this Court in H.C.P(MD).No.950 of 2018, dated 02.08.2018. He further submitted that the petitioner is in incarceration from 14.06.2018 onwards. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that there are 14 previous cases are pending against the petitioner and he is a habitual offender. Hence, he vehemently opposed the grant of bail to the petitioner.



5.It is seen from the above that the petitioner was detained under Goondas Act and subsequently it was quashed by this Court in H.C.P(MD).No.950 of 2018, dated 02.08.2018. Considering the facts and circumstances and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

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(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, Cheranmahadevi, Tirunelveli.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders;

sd/-
28/08/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI

2.THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3.THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION, CHERANMAHADEVI,

4.THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

+1. CC to Mr.N.PRAGALATHAN Advocate SR.No.16826

ORDER
IN
CRL OP(MD) No.15203 of 2018
Date :28/08/2018

TK/PN/SAR.4/28.08.2018/2P-7C