



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

Monday, the Third day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15664 of 2018

JOSEPHPATH

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
VADASERI POLICE STATION,
KANYAKUMARI DISTRICT,
Crime No.354/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.SULTHAN BASHA, Advocate for
M/S.AJMAL ASSOCIATES

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 20.08.2018 for the offences punishable under Sections 427, 294(b), 323 and 506(i) IPC, in Crime No.354 of 2018 on the file of the respondent police. He seeks bail.

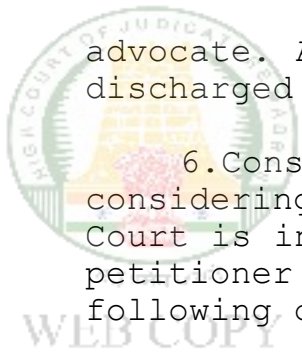
2.The defacto complainant is the advocate, who is practising at Thavckalay. Therefore, the other advocates are prevented and passed resolution to the effect that no one was move the bail application for the petitioner herein. Therefore, this Court is permitted the petitioner to move the bail application before this Court directly without approaching the lower Court.

3.The case of the prosecution is that on 19.08.2018, at about 07.30 p.m., the petitioner while he was driving a car bearing Reg.No.TN 75 AB 0810 at Krishnan Kovil Junction dashed the defacto complainant's vehicle in a rash and negligent manner. Therefore, the petitioner had abused un-parliamentary words as against the defacto complainant and also attacked him. Hence, the complaint.

4.Heard the learned counsel for the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The learned Additional Public Prosecutor for the respondent would submit that the defacto complainant is practising as an



advocate. At the time of occurrence, he sustained simple injury and discharged from the hospital.

6.Considering the above 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:

(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 Judicial Magistrate Court No-I,Tirunelveli.

(ii)the petitioner shall appear before the respondent police for a period of two weeks daily at 10.30 a.m. and thereafter as and when required for interrogation.

sd/-
03/09/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, NO I, TIRUNELVELI.

2.THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3.THE INSPECTOR OF POLICE,
VADASERI POLICE STATION,
KANYAKUMARI DISTRICT.

4.THE OFFICER INCHARGE,
SUB JAIL, THUCKALAY AT KANYAKUMARI DISTRICT.

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

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.81965

ORDER
IN
CRL OP(MD) No.15664 of 2018
Date :03/09/2018

TK/VR/SAR.2/04.09.2018/2P-7C