



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

Monday, the Tenth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16161 of 2018

KATHIRESAN

... PETITIONER/ 10th ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
AYAKUDI POLICE STATION,
DINDIGUL DISTRICT.
Crime No. 61 of 2010

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

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

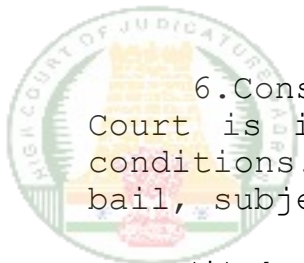
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 23.08.2018 for the offences punishable under Sections 147, 148, 294(b), 341, 324, 506(ii) and 307 of I.P.C., altered into Sections 147, 326, 506(ii) and 307 read with 149 of I.P.C. in Crime No.61 of 2010, on the file of the respondent police and P.R.C.No.12 of 2013 on the file of the Judicial Magistrate, Palani seeks bail.

2.The case of the prosecution is that with regard to the agricultural dispute between the petitioner and the defacto complainant, a case has been registered and the respondent has filed charge sheet before the learned Judicial Magistrate, Palani, which was taken on file in P.R.C.No.12 of 21013.

3.The learned counsel appearing for the petitioner would submit that since the petitioner absconded, non bailable warrant has been issued on 15.06.2015. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 23.08.2018. He would further submit that the petitioner has not involved in any crime and a false case has been foisted as against the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police opposes the bail application stating that if the petitioner released on bail, again, he will abscond from the clutches of law. However, he would submit that no previous case is pending against the petitioner.



6.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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 learned Judicial Magistrate, Palani.

(ii) the petitioner shall appear before the trial Court daily at 10.30 a.m. until further orders.

sd/-
10/09/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE,PALANI.
 - 2.THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL DISTRICT.
 - 3.THE INSPECTOR OF POLICE,
AYAKUDI POLICE STATION, DINDIGUL DISTRICT.
 - 4.THE OFFICER INCHARGE,
SUB JAIL,PALANI.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- +1. CC to Mr.D.VENKATESH Advocate SR.No.17294

ORDER
IN
CRL OP(MD) No.16161 of 2018
Date :10/09/2018

MS/VR-MMS/SAR.3/10.09.2018/2P/7C