



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

Tuesday, the Ninth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP (MD) No.16965 of 2018

MARIRAJ @ GUNA

... PETITIONER / ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CR.NO.39 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MUTHUPANDI 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 26.08.2018 for the offences punishable under Sections 452, 294(b), 323 of I.P.C. and Section 3 of TNPHW Act and Section 3 of TNPPDL Act, in crime No.39 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to civil dispute, on 13.02.2018, the petitioner trespassed the defacto complainant's house and used filthy language and assaulted the defacto complainant and also threatened her and damaged plastic pots. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that due to civil dispute, a false case has been implicated in this case and the petitioner is an innocent person and he is incarcerated from 26.08.2018.

4.The learned Additional Public Prosecutor would submit that the injury has been discharged from the hospital and the investigation is going on.



5. Considering the facts and circumstances of the case and also considering the period of incarceration by the petitioner from 26.08.2018, 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, Srivaikuntam;

(ii) the petitioner shall appear before the respondent police as and when required for interrogation.

sd/-

09/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAISKUNDAM.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, TUTICORIN.

3 THE INSPECTOR OF POLICE,
SRIVAISKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

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

+1. CC to M/S.P.MUTHUPANDI Advocate SR.No. 19237

ORDER

IN

CRL OP(MD) No.16965 of 2018

Date : 09/10/2018

JM/PN/SAR 1/10.10.2018/2P/7C