



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

Thursday, the Eighth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20083 of 2018

SILAMBAN @ PARIMALAM

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.107/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Government 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 29.10.2018 for the offences punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.107 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 26.10.2018 due to land dispute between the petitioner and the de-facto complainant, the petitioner said to have attacked and threatened the de-facto complainant and abused him in filthy language.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and a false case has been foisted against him.

4. The learned Government Advocate (Crl. side) would submit that injured has been discharged from the hospital.

5. 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:



[a] 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, Alangudi.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

08/11/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ALANGUDI.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE INSPECTOR OF POLICE,
VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.21279

ORDER

IN

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Date :08/11/2018