



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.1759 of 2019

NATARAJAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
AMBASAMUDRAM POLICE STATION.
CRIME NO.3 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.SUBBARAJ, Advocate

For Respondent : Mr.S.CHANDRASEKAR, 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 05.01.2019 for the offence punishable under Section 341, 294(b), 307, 506(ii), 120(b), 109, 201 of IPC in Crime No.3 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused person way laid the defacto complainant, abused him using filthy language and assaulted him with aruval, thereby he sustained injuries and admitted in the hospital.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prayed for bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is involved in one previous case, however the injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten



Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambasamudram and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-

07/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, AMBASAMUDRAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE SUB INSPECTOR OF POLICE,
AMBASAMUDRAM POLICE STATION.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.P.SUBBARAJ Advocate SR.No.45311

ORDER

IN

CRL OP(MD) No.1759 of 2019

Date : 07/02/2019

MS/PN/SAR-1/07.02.2019/2P.7C