



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

Friday, the Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2086 of 2019

INBA KUBENDRAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.39/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.MANICKARAJ Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

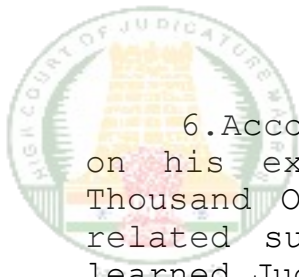
The petitioner, who was arrested and remanded to judicial custody since 24.01.2019 for the offence punishable under Section 294(b), 307, 323, 324 and 341 of IPC in Crime No.39 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant parked his vehicle in the main road which was questioned by the accused person. Hence, there was a wordy quarrel arose between them. Due to that the petitioner stabbed the defacto complainant with knife, thereby he sustained injury. Hence, the complaint.

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 injured person in this case 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, Melur and on further condition that:

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(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/-
08/02/2019

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

TO

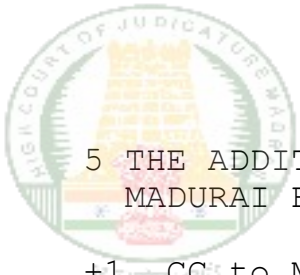
1. THE JUDICIAL MAGISTRATE, MELUR.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT,

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

4. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



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

+1. CC to MR.M.JAGADEESH PANDIAN, Advocate SR.No.2728

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ORDER

IN

CRL OP (MD) No.2086 of 2019

Date : 08/02/2019

AE/JC/SAR2/08.02.2019/3P/7C