



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

Friday, the Twenty Second day of February Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2729 of 2019

SURIYA ANAND

... PETITIONER / ACCUSED No.

NOT RANKED

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE,
KARAIKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.32 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.N.MOHAN 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 on 02.02.2019 for the offence under Sections 294(b), 324 and 307 IPC, in Cr.No.32 of 2019, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner and other accused person in a drunken mood assaulted one Rizwan Mohammed, was working in the bar shop. Thereby, he sustained injury and admitted in the hospital. On seeing the brutal attack made by the petitioner and other accused persons, the defacto complainant lodged a complaint before the respondent police.

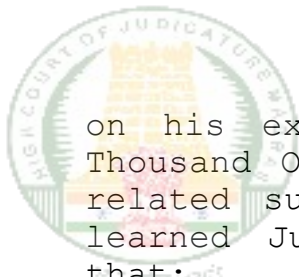
3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person.

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

5.Considering the nature of the case and considering the fact that the injured person discharged from the hospital, I am inclined to grant bail to the petitioner.

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

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, Karaikudi 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 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 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 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]**; and;

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

sd/-

22/02/2019

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

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE,
KARAIKUDI POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE OFFICER IN-CHARGE,
BORSTAL SCHOO AND DISTRICT JAIL, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.N.MOHAN Advocate SR.No.3567

ORDER IN

CRL OP(MD) No.2729 of 2019

Date : 22/02/2019