



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

Monday, the First day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4695 of 2019

DEEPAK

... PETITIONER / ACCUSED NO.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.67/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.VEERAKUMAR Advocate

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor

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

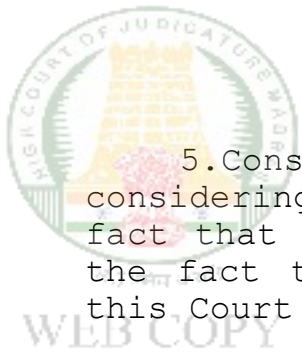
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 18.03.2019 for the offences punishable under Sections 147, 148, 294(b), 341, 324, 506(ii), 307 and 201 of IPC in Crime No.67 of 2019, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other herein consumed alcohol and due to wordy quarrel regarding parking of vehicle the petitioners along with another person abused the defacto complainant, attacked him deadly weapons and threatened with dire consequences. Hence the complaint

3. The learned for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He would also submit that co-accused was granted anticipatory bail by this Court. Accordingly, he prayed for bail.

4. The learned Additional Public Prosecutor appearing for the state would submit that investigation is pending. He would also submit that co-accused in this case was also granted anticipatory bail and injured has been discharged from the hospital.



5. Considering the facts and circumstances of the case and considering the period of incarceration and also considering the fact that the co-accused already released on anticipatory bail and the fact that the injured has been discharged from the hospital, 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, Paramakudi 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 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;

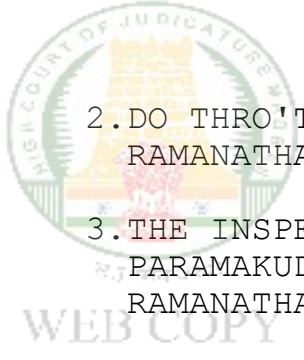
sd/-
01/04/2019

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

TO

1. THE JUDICIAL MAGISTRATE,
PARAMAKUDI.



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

3.THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT,

4.THE OFFICER INCHARGE,
DISTRICT PRISON,
RAMANATHAPURAM.

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

+1. CC to MR.T.VEERAKUMAR Advocate SR.No.5887

ORDER
IN
CRL OP (MD) No.4695 of 2019
Date :01/04/2019

AAV
AE/PN/SAR-IV/01.04.2019/3P/7C