



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

Friday, the Twelfth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5549 of 2019

AMAR SINGH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE BY
THE SUB INSPECTOR OF POLICE
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.
Crime No.56 of 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH 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 21.03.2019 for the offence punishable under Sections 294(b), 307 and 506(ii) of IPC in Cr.No.56 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and defacto complainant are neighbours, due to previous motive, the petitioner and other accused persons quarreled with the defacto complainant for which the defacto complainant lodged a complaint against the petitioner. Due to which, the petitioner and other accused persons assaulted the defacto complainant with Aruval. Thereby, the defacto complainant sustained injuries and was admitted in hospital. On the basis of the complaint lodged by the defacto complainant, the respondent police registered a case against the petitioner.

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. Hence, he prays for bail.



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

5. Considering the facts and circumstances and considering the fact that the injured has been discharged from the hospital and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on their 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, Cheranmahadevi, 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., and 5.30 p.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/-
12/04/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI.

2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE SUB INSPECTOR OF POLICE
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.

4. THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

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

+1. CC to Mr.D.VENKATESH Advocate SR.No.6652

ORDER

IN

CRL OP (MD) No.5549 of 2019

Date :12/04/2019

TK/MMS/SAR-4/12.04.2019/3P/7C