



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

Monday, the Fifteenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5554 of 2019

SANTHANAM

... PETITIONER / ACCUSED No.9

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE
THANGACHIMADAM POLICE STATION,
RAMANATHAPURAM DISTRICT
Crime No.21/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.MUTHUPANDI 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 :-

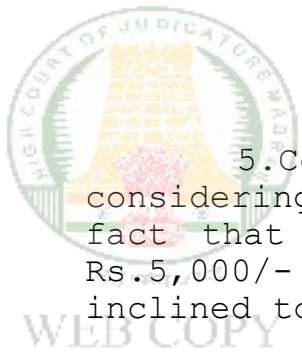
The petitioner, who was arrested and remanded to judicial custody since 03.04.2019 for the offences punishable under Sections 147, 148, 294(b), 326, 506(ii) and 341 IPC in Crime No.21 of 2019, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 18.03.2019 at about 05.30 hrs, while the defacto complainant came to the bus stop, the accused was arrived to the bus stop and waylaid the defacto complainant and attacked the defacto complainant by using Aruval and sword. While preventing the attack, the defacto complainant sustained injury on hands and he raised alarm, thereafter, all the accused fled away from the scene of occurrence. Hence, this complaint has been lodged.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. The accused Nos.5, 6 and 11 are already arrested and enlarged on bail by this Court in Crl.O.P.(MD)No.4789 of 2019. Now, he is ready to deposit a sum of Rs.5,000/- as costs to the credit of Crime No.21 of 2019.

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

4.The learned Additional Public Prosecutor appearing for the state would submit that investigation is pending.



5. Considering the facts and circumstances of the case and considering the period of incarceration and also considering the fact that the petitioner is come forward to deposit a sum of Rs.5,000/- to the credit of Crime No.21 of 2019, this Court is inclined to grant bail to the petitioners.

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 Judicial Magistrate, Rameshwaram, 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 deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of Crime No.21 of 2019 before the trial Court within a period of two weeks from the date of receipt of a copy of this order;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders for interrogation;

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

sd/-
15/04/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
RAMESHWARAM.

2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3. THE INSPECTOR OF POLICE
THANGACHIMADAM 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.P.MUTHUPANDI Advocate SR.No.6744

ORDER

IN

CRL OP (MD) No.5554 of 2019

Date :15/04/2019

TK/PN/SAR-1/15.04.2019/3P/7C