



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

Friday, the Eleventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.574 of 2019

A. CHINRAJ

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KRISHNANKOVIL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.239/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.BALAJI 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 :-

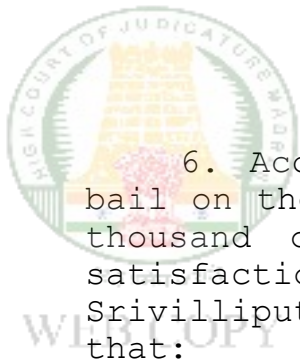
The petitioner was arrested and remanded to judicial custody since 22.11.2018 for the offences punishable under Sections 294(b), 324, 506(ii) @ 294(b), 302, 506(ii) of IPC in Crime No.239 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to wordy quarrel the petitioner assaulted the defacto complainant in his abdomen. Due to which the deceased sustained some urinary infection and he was admitted in the hospital and died in the hospital.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4. The learned Government Advocate(Crl.Side) would submit that the investigation is pending and waiting for forensic report.

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 their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/01/2019

/ TRUE COPY /

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

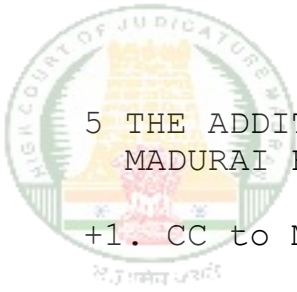
TO

1.THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR.

2.DO THRO'THE CHIEF JUDICAIL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
KRISHNANKOVIL POLICE STATION,
VIRUDHUNAGAR DISTRICT,

4.THE OFFICER INCHARGE,
<https://hcservices.ecourts.gov.in/hcservices/>
DISTRICT PRISON, VIRUDHUNAGAR.



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

+1. CC to M/S.A.BALAJI Advocate SR.No.678

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ORDER

IN

CRL OP (MD) No.574 of 2019

Date :11/01/2019

AE/JC/SAR4/11.01.2019/3P/7C