



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

Wednesday, the Twenty Second day of May Two Thousand Nineteen

WEB COPY

PRESENT

The Hon'ble Mrs.Justice S.RAMATHILAGAM

CRL OP(MD) No.7361 of 2019

PUSHPARAJ

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ERIYODU POLICE STATION,
ERIYODU, DINDIGUL DISTRICT
IN CRIME NO.57 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.GOKUL RAJ, Advocate

For Respondent : M/s.M.ANANTHADEVI, 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 05.05.2019 for the offences punishable under Sections 294(b), 324, 506(ii) of IPC @ 294(b) and 307 of IPC Crime No. 57 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to some dispute regarding pathway, the petitioner herein abused the defacto complainant, assaulted him with deadly weapons and threatened him with dire consequences. Hence the complaint.

3.The learned for the petitioner would submit that the petitioner is an innocent person and he has committed any offence as alleged by the prosecution. He would also submit that injured has been discharged from the hospital.

4.The learned Government Advocate(Crl.Side) appearing for the State would submit that the 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 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 Additional District Munsif cum Judicial Magistrate, Vedasandhur 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/-
22/05/2019

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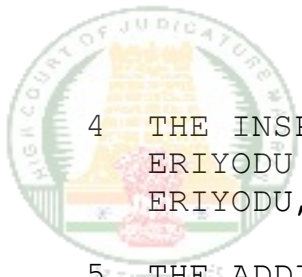
Sub-Assistant Registrar (C.S-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDHUR

2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE SUB JAIL,
VEDASANDHUR, DINDIGUL DISTRICT.



4 THE INSPECTOR OF POLICE,
ERIYODU POLICE STATION,
ERIYODU, DINDIGUL DISTRICT,

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

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+1. CC to M/S.S.GOKUL RAJ Advocate SR.No.8722

ORDER

IN

CRL OP (MD) No.7361 of 2019

Date :22/05/2019

ES/PN/SAR 1/22.05.2019/3P/7C