



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 03/06/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7425 of 2019

Ashok @ Ashokkumar

... Petitioner/ A2

Vs

State rep.by

The Inspector of Police,,
Rameshwaram Town Police Station

Ramnad District.

In Crime No.95/2019

... Respondent/Complainant

For Petitioner : Mr.K.Radhakrishnan,
Advocate

For Respondent : Mr.V Neelakandan,
Additional Public Prosecutor

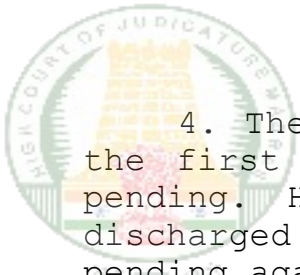
PETITION FOR BAIL Under Sec.439 Cr.P.C.

ORDER : The Court Made the following order :-

This petition has been filed by the Accused-2 seeking bail for the alleged offence under Sections 294(b), 307 and 506(ii) of IPC

2. The case of the prosecution is that due to some wordy quarrel between the defacto complainant and A1 Kannan regarding parking of vehicle before the defacto complainant's lodge the petitioner along with A1 went to the defacto complainant's lodge and scolded him using filthy language and A1 caused injury on the head of the defacto complainant using sickle and threatened him with dire consequences.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case. He further submitted that even as per the First Information Report, it is only A1 who attacked the injured and the petitioner herein only gave life threat. He further submitted that the injured has been discharged from the hospital and the petitioner is in custody from 09.05.2019. Hence he prayed for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor has submitted that the first accused is still absconding and investigation is still pending. He fairly conceded that the injured has already been discharged from the hospital on 13.05.2019 and no previous case is pending against the petitioner.

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5. Considering the fact and circumstance of the case and also considering the fact that the injured had already been discharged from the hospital and also considering the fact that the petitioner is in custody from 09.05.2019, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a] 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 each for a like sum to the satisfaction of the Judicial Magistrate, Rameshwaram

[b] the petitioner shall report before the respondent police daily at 10.00.a.m for a period of one month and thereafter, as and when required for the interrogation.

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

[d] the petitioner shall not tamper with evidence or witness 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].

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

sd/-

03/06/2019

/ TRUE COPY /

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

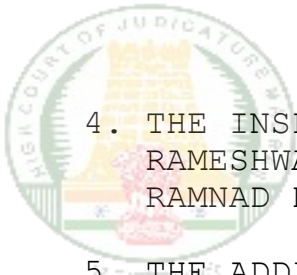
To

1. THE JUDICIAL MAGISTRATE, RAMESHWARAM.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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

3. THE OFFICER INCHARGE, DISTRICT JAIL,
RAMANATHAPURAM.



4. THE INSPECTOR OF POLICE,,
RAMESHWARAM TOWN POLICE STATION
RAMNAD DISTRICT.

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

+1CC TO Mr.K.Radhakrishnan, Advocate, SR NO.9071

ORDER IN
CRL OP(MD) No.7425 of 2019
Date : 03/06/2019

AAV

MS/VR/SAR-4/03.06.2019/3P.7C