



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 10/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7900 of 2019

P.Karuppasamy @ Karuppu

... Petitioner/Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Crime No.222/2019)

... Respondent/Complainant

For Petitioner : M/s.R.Alagumani,
Advocate.

For Respondent : V.Neelakandan,
Govt.Advocate (Crl.Side).

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

ORDER : The Court Made the following order :-

The petition has been filed by Accused Nos.2 seeking bail for the alleged offence punishable under Section 147, 148, 294 (b), 323, & 307 IPC, in Crime No.222 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner has been falsely implicated in this case. He further submitted that even as per the FIR, the petitioner went to the spot with the other accused persons with deadly weapons and made attempt to attack the defacto complainant, but the defacto complainant has not sustained any injury. He further submitted that the petitioner is in custody from 03.04.2019 onwards. He further submitted that already A1 was released on bail and therefore, he prayed to grant of bail to the petitioner.

4.Per contra, the learned Additional Public Prosecutor appearing for the respondent has submitted that already 18 previous cases are pending against the petitioner. He further submitted that on 03.04.2019, the petitioner along with his associates went to the house of the defacto complainant and tried to attack him, but he



narrowly escaped. He further submitted that if the petitioner is released on bail, he will commit the same kind of offence and therefore, he strongly opposed this petition.

5. The learned counsel for the petitioner by way of reply, has submitted that in all other cases the petitioner is on bail and in this case, the petitioner has been falsely implicated.

6. Taking into consideration of the fact that the petitioner is in custody for the past 69 days and also the fact that already A1 was released on bail and even as per the FIR, the petitioner herein, has not caused any injury to the anyone, and also the fact that in other cases the petitioner is on bail, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a] 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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sivakasi.

[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 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].

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

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

sd/-

10/06/2019

/ TRUE COPY /

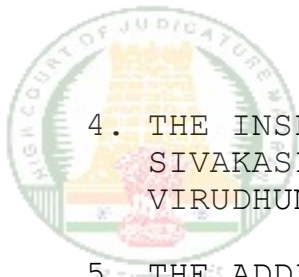
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, SIVAKASI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.

3. THE OFFICER INCHARGE, DISTRICT JAIL,
VIRUDHUNAGAR.



4. THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to Mr.R.ALAGUMANI Advocate SR.No.9364

ORDER
IN
CRL OP (MD) No.7900 of 2019
Date :10/06/2019

MS/VR/SAR-2/11.06.2019/3P.7C