



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 17/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8054 of 2019

P.Dinesh @ Devaraj @ Sounthar Rajan ... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Kulithalai Police Station,
Karur District.
Crime No.207 of 2019.

... Respondent/Complainant

For Petitioner : M/s.B.Jameel Arasu,
Advocate.

For Respondent : V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For bail petition in cr.no.207 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused No.1 seeking bail for the alleged offence under Sections 294(b), 341 and 307 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit due to previous enmity the defacto complainant has lodged a false complaint against the petitioner herein. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 06.05.2019 and he is in custody for the past 42 days. He further submitted that by this time investigation might have been completed. Therefore he prayed to grant bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>
4. The learned Additional Public Prosecutor would submit that due to previous enmity the petitioner herein along with others assaulted the defacto complainant with iron rod. He further



submitted that injured sustained only simple injury and he was discharged from the hospital. However he opposed the bail petition on the ground that investigation is still pending.

5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 42 days and also considering the fact that injured was already discharged from the hospital and by this time major part of the investigation might have been completed 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 No.II, Kulithalai, Karur District.

[b] the petitioner shall report before the Respondent Police, daily at 10.30 .AM 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 trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[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/-

17/06/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KULITHALAI, KARUR DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
 3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 4. THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION, KARUR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.9825

ORDER IN

CRL OP(MD) No.8054 of 2019

Date :17/06/2019