



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

Friday, the Fourteenth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8093 of 2019

MUTHUKUMAR

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
AVUDAIYARKOVIL POLICE STATION,
PUDUKOTTAI DISTRICT.
CRIME NO.68/2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SURESH 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 petitioner/ Accused No.1 seeking bail for the alleged offence under Sections 294(b), 342 and 307 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that due to civil dispute and money transactions, a false complaint has been foisted against the petitioner herein and three others. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 21.05.2019 and he is in custody for the past 24 days. He further submitted that the injured was already discharged from the hospital. He further submitted that by this time investigation might have been completed. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally four accused involved in this case and they have brutally attacked the defacto complainant with knife and caused injury. Hence he strongly opposed to grant bail to the petitioner. However he fairly conceded that the injured was already discharged from the hospital.



5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 24 days and also considering the fact the 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 learned Judicial Magistrate, Aranthangi

[b] the petitioner shall report before the respondent police, daily at 10.30 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/-

14/06/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.

3 THE INSPECTOR OF POLICE,
AVUDAIYARKOVIL POLICE STATION,
TUDUKOTTAI DISTRICT.



4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

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

+1. CC to M/S.M.SURESH Advocate SR.No. 9645

ORDER

IN

CRL OP (MD) No.8093 of 2019

Date :14/06/2019

JM/VR/SAR 2/14.06.2019/3P/7C