



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

Monday, the Seventeenth day of June Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8102 of 2019

1 RAJ

2 SATHIYA @ SANTHIYA BRITTO ... PETITIONERS / ACCUSED NO.8 & 12

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PAMBAN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.31/2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.KARTHIK 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 petitioners/ Accused-8 and 12 seeking bail for the alleged offence under Sections 147,148,341,294(b), 506(ii) and 307 of IPC

2. Heard both sides

3. The learned counsel for the petitioners would submit that due to previous enmity a false case has been foisted against the petitioners. He further submitted that the petitioners were arrested and remanded to judicial custody on 29.04.2019 and from that date onwards they are in custody. He further submitted that the injured was already discharged from the hospital and therefore he prayed to grant bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that due to previous enmity the petitioners along with others unlawfully assembled together and waylaid the defato complainant and attacked him deadly weapons. He would also submit that A1 in this case is still absconding. Hence he objected to grant bail to the petitiners. However, he fairly conceded that injured was already discharged from the hospital.



5. Taking into consideration the fact that already injured was discharged from the hospital and that the petitioners are in custody from 29.04.2019, this Court is inclined to grant bail to the petitioners by imposing conditions:

[a] the petitioners are 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 Judicial Magistrate, Rameswaram.

[b] the petitioners shall report before the Respondent Police, daily at 10.30A.M for a period of One Month and thereafter, as and when required for the interrogation.

[c] the petitioners shall not abscond either during investigation or trail.

[d] the petitioners 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 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.

sd/-
17/06/2019

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

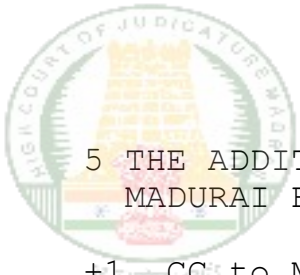
TO

1 THE JUDICIAL MAGISTRATE,
RAMESWARAM

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

3 THE INSPECTOR OF POLICE,
PAMBAN POLICE STATION,
RAMANATHAPURAM DT.

<https://hcservices.ecourts.gov.in/hcservices/>
4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.



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

+1...CC to M/S.A.KARTHIK Advocate SR.No. 9820

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ORDER

IN

CRL OP(MD) No.8102 of 2019

Date :17/06/2019

JM/VR/SAR 1/17.06.2019/3P/7C