



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

Monday, the Seventeenth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8117 of 2019

ADAIKALAM

... PETITIONER / 3rd ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PAMBAN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.31 OF 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 petitioner/ 3rd accused 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 petitioner would submit that due to previous enmity a false case has been foisted against the petitioner. He further submitted that the petitioner was arrested and remanded to judicial custody on 11.05.2019 and from that date onwards he is in custody. He further submitted that the injured was already discharged from the hospital and therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that due to previous enmity the petitioner 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 petitioner. 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 11.05.2019, this Court is inclined to grant bail to the petitioners 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, Rameswaram.

[b] the petitioner 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 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.

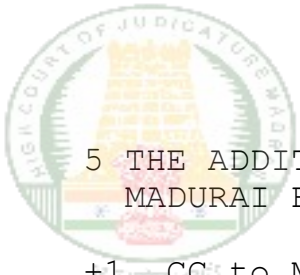
TO

1 THE JUDICIAL MAGISTRATE,
RAMESWARAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

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

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. 9818

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ORDER

IN

CRL OP(MD) No.8117 of 2019

Date :17/06/2019

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