



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

Date : 14/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

WEB COPY

CRL OP(MD) . No.8149 of 2019

Manikandan

... Petitioner/Accused 6

Vs

State Rep.by
The Sub Inspector of Police,
Guzilamparai Police Station,
Dindigul District.
(Crime No.30/2019)

... Respondent/Complainant

For Petitioner : M/s.S.Gokul Raj,
For Respondent : V.Neelakandan,
Additional Public Prosecutor,

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

PRAYER :-

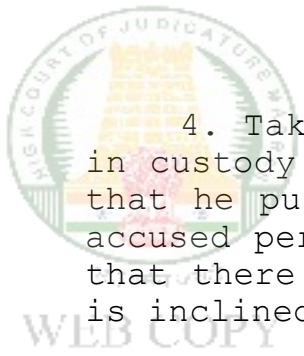
For Bail in Crime No.30/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

1. This petition has been filed by the Accused-6 seeking bail for the alleged offences punishable under Sections 147, 148, 323, 324, 506(ii) and 302 of I.P.C in Cr.No.30 of 2019.

2. The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent person and due to civil dispute, he has been falsely implicated the above case. He has further submitted that even as per F.I.R., the petitioner herein has pushed down the deceased along with other accused persons and kicked on his chest. He further submitted that the petitioner is in custody from 20.04.2019, for the past 55 days. He further submitted that by this time, the investigation would have been completed and hence, he prayed to grant bail to the petitioner.

3 Per contra, the learned Additional Public Prosecutor appearing for the respondent has submitted that totally, there are six accused persons involved in the above case. On 07.04.2019, at about 2.00 p.m, due to previous enmity, all the accused unlawfully assembled and they went to Wine shop bar, they attacked the deceased with deadly weapons. he further submitted that all the accused persons were arrested and remanded to judicial custody and investigation is still pending and hence he strongly opposed this petition.



4. Taking into consideration of the fact that the petitioner is in custody for the past 55 days and also the allegation against him that he pushed down the deceased and kicked on his chest and other accused persons only attacked with deadly weapons and also the fact that there is no bad antecedents against the petitioner, this Court is inclined to grant bail by imposing conditions.

[a] Accordingly, 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 Additional District Munsif cum-Judicial Magistrate, Vedasandur;

[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 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]**.

[e] 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 ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE SUB INSPECTOR OF POLICE,
GUZILAMPARAI POLICE STATION, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.GOKUL RAJ Advocate SR.No.9757

ORDER

IN

CRL OP(MD) No.8149 of 2019

Date :14/06/2019