



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

Date : 24/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8436 of 2019

Karuppaiah

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,,
Nainarkovil Police Station,
Ramnad District.
Crime No.41/2019.

... Respondent/Complainant

Meenambal

... Petitioner/ Intervener

For Petitioner : M/s.G.Karuppasamy Pandiyan,
Advocate.

For Respondent : V. Neelakandan,
Additional Public Prosecutor

For Intervener : Mr.M.S.Jeyakarthik, Advocate

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

PRAYER :-

For Bail in Crime no. 41/2019 on the file of the respondent police.

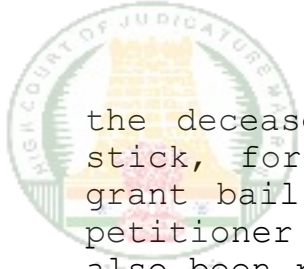
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ accused no. 2 seeking bail for the alleged offence under Sections 294(b), 324,307,302,506(ii) of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner herein was arrested and remanded to judicial custody on 21.04.2019 and he is in custody for the past 64 days. He further submitted that the petitioner herein has not caused any injury to the deceased. He would also submit that the petitioner herein also sustained grievous injury, for which a counter case has also been registered. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that due to some dispute regarding pathway between the complainant and



the deceased family , A1 in this case attacked the deceased with stick, for which the deceased died. Hence he strongly opposed to grant bail to the petitioner. However he fairly conceded that the petitioner herein also sustained injuries and a counter case has also been registered.

5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 64 days and also the fact that the petitioner herein has not caused any injury to the deceased, 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, Paramakudi, Ramanathapuram.

[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 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/-

24/06/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMANATHAPURAM DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
NAINARKOVIL POLICE STATION, RAMNAD DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.G.KARUPPASAMY PANDIYAN Advocate SR.No.10325

ORDER IN

CRL OP(MD) No.8436 of 2019

Date : 24/06/2019