



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

Friday, the Twenty First day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8734 of 2019

S.SARAVANAKUMAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.
(CRIME NO.186/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.R.PRITHIVIRAJ Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

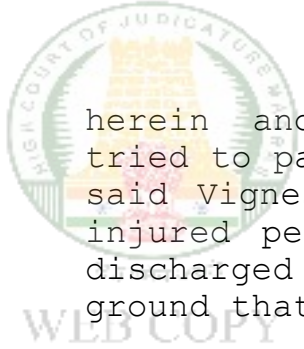
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/Accused Rank.Not known seeking bail for the alleged offence punishable under Sections 147, 148, 332, 353, 506(ii) and 307 of IPC in Crime No.186 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that there is no overt act attributed against the petitioner herein. He further submitted that even as per the First Information Report A1 alone attacked Vignesh. He further submitted that the injured sustained only simple injuries and he was discharged from the hospital. He further submitted that already main accused namely A1 to A6,A7, A9 were arrested on 09.06.2019 and they are still in custody. He further submitted that since the petitioner has went to ear boning ceremony along with the other accused persons he has been falsely implicated in the above case. Hence, he prayed to grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent has submitted that in the ear boning ceremony, a wordy quarrel arose between the defacto complainant and the petitioner



herein and the injured person who is working as a police constable tried to pacify them, due to which the accused persons attacked the said Vignesh with iron rod . However he fairly conceded that the injured person sustained only simple injuries and he was already discharged from the hospital. However, she opposed bail on the ground that investigation is still pending.

5. Taking into consideration the fact that the injured person has sustained only simple injuries and also discharged from the hospital and also considering the fact that the main accused persons namely A1 to A6, 8 and 9 were arrested and remanded to judicial custody and they are in custody and also the fact that there is no specific overt act is attributed against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

[a] the petitioner is ordered to be released on bail on their 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, Aundipatti;

[b] the petitioner as well as the sureties shall submit a copy of their Aadhar Card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds;

[c] the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of three weeks and thereafter as and when required for the interrogation;

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
21/06/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
AUNDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE SUB INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.

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

+1. CC to M/S.P.R.PRITHIVIRAJ Advocate SR.No. 10203

ORDER

IN

CRL OP (MD) No.8734 of 2019

Date :21/06/2019

JM/VR/SAR 4/21.06.2019/3P/7C