



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

Monday, the Twenty Fourth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8821 of 2019

1 GANESAN
2 KARTHICKKUMAR

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : MR.C.SUSIKUMAR Advocate

For Respondent : Public Prosecutor

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

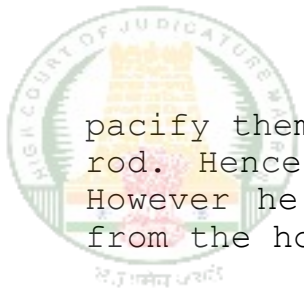
ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/ Accused seeking bail for the alleged offence under Sections 147,148,332,353,506(ii) and 307 of IPC

2. Heard both sides

3. The learned counsel for the petitioners would submit that there is no specific overt act attributed against the petitioner. He further submitted that the petitioners were arrested and remanded to judicial custody on 10.06.2019 and from that date onwards they are in custody. He further submitted that since the petitioners went to ear boring ceremony along with other accused , they have been implicated in the above case. 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 in the ear boring ceremony, a wordy quarrel arose between the petitioner and 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 him with iron rod. Hence he strongly opposed to grant bail to the petitioners. However he fairly conceded that the injured was already discharged from the hospital.

5. Taking into consideration the fact that the injured person was already discharged from the hospital and also considering the fact that some of the accused were granted bail by this Court, this Court is inclined to grant bail to the petitioner by imposing conditions:

[a] the petitioners are ordered to be released on bail on his 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 learned Judicial Magistrate, Aundipatti

[b] the petitioners shall report before the respondent police , daily at 10.30 a.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 trial.

[d] the petitioners 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 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/-
24/06/2019

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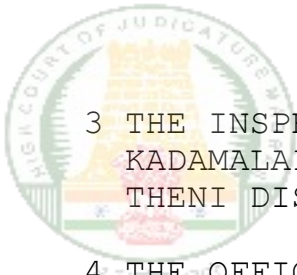
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
AUNDIPATTI

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.courts.gov.in/hcservices/>
MADRAS DISTRICT.



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

4 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.

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

+1. CC to M/S. C. SUSIKUMAR Advocate SR.No. 10302

ORDER

IN

CRL OP (MD) No.8821 of 2019

Date :24/06/2019

JM/VR/SAR 2/24.06.2019/3P/7C