



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.919 of 2019

RAMESH

... PETITIONER / ACCUSED No. 1

Vs

STATE REP. THROUGH,
THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.
CRIME NO.892/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.KANNAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 11.12.2018 for the offences punishable under Sections 294(b), 307 and 109 of IPC in Crime No.892 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to parking of vehilce the petitioner abused the defacto complainant and assaulted him with knife.

3. The learned counsel for the petitioner would submit that the petitioner has falsely implicated as an accused and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate(Crl.Side) would submit that injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner.



6. 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 Judicial Magistrate No.II, Madurai and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

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

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

[d] 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/-
23/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO II, MADURAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1. CC to MR.M.KANNAN Advocate SR.No. 1229

ORDER IN
CRL OP(MD) No.919 of 2019
Date :23/01/2019