



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.9860 of 2019

Maruthu Pandi

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
Crime No.261 of 2019.

... Respondent/Complainant

For Petitioner : M/s.K.P.Narayanakumar,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 261 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Sections 341, 294(b), 324,506(ii) of IPC @ 341, 294(b), 324,506(ii), 323 and 307 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that due to money dispute the defacto complainant has lodged a false complaint against the petitioner herein. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 02.06.2019 and he is in custody for the past 43 days. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner had borrowed a sum of Rs.10,000/- from the defacto complainant three months back and when the same was demanded to repay, the petitioner had attacked the defacto complainant with



aruvai and caused injuries and also attempted to commit murder. Hence he strongly opposed to grant bail to the petitioner.

5. Taking into consideration all the allegations made against the petitioner and also the fact that the petitioner is in custody for the past 43 days, 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 No.I, Tirunelveli.

[b] Before executing bail bond, the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of crime number 261 of 2019 before the Judicial Magistrate No.I, Tirunelveli

[c] the petitioner 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.

[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].

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

sd/-

15/07/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.K.P.NARAYANAKUMAR Advocate SR.No.11702

ORDER IN

CRL OP(MD) No.9860 of 2019

Date :15/07/2019