



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

Date : 09/01/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.339 of 2020

NAMBIRAJAN

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL.
(CRIME NO.492/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. P. Periyasamy,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 492/2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 18.12.2019, for the offences under Sections 294(b) and 307 of I.P.C., in Crime No.492 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The petitioner had assaulted the victim causing him head injury. The victim was in hospital for seven days.

4. The petitioner's counsel on instructions states that at the time of executing the sureties, a demand draft for a sum of Rs.10,000/- will be enclosed favouring the victim towards medical expenditure. The said demand draft will be handed over by the Court below to the victim through the respondent police. Of course, this is without prejudice to the petitioner's defence in the criminal



5. Subject to this condition, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute 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, Dindigul.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
09/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION, DINDIGUL.
- 4 THE OFFICER INCHARGE,
SUB JAIL, DINDIGUL.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.PERIYASAMY, Advocate SR-478

ORDER
IN
CRL OP(MD) No.339 of 2020
Date :09/01/2020

IAS
JM/VR/SAR 1/09.01.2020/2P/7C