



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/01/2020

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PRESENT

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

CRL OP(MD). No.1372 of 2020

VAZHINIRAI SELVAM

... PETITIONER/ACCUSED NO.1

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.201/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. C. Bethanasamy,
Advocate.

For Respondent : M/s. Anandha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

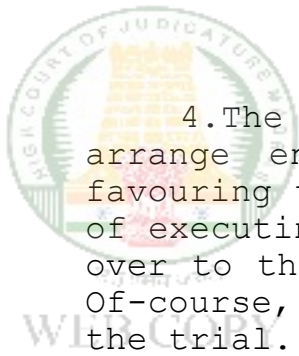
For Bail in Crime No. 201/2019 on the file of the Respondent Police.

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 31.12.2019 for the offences punishable under sections 294(b), 324, 506(ii) and 307 of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, of I.P.C., in Crime No.201 of 2019 on the file of the respondent police. He seeks bail.

3. Due to pathway dispute, the occurrence has taken place. The victim was in hospital for almost three weeks for the head injury



4.The petitioner's counsel states that the petitioner will arrange enclosure of a demand draft for a sum of Rs.10,000/- favouring the victim along with the petition to be filed at the time of executing the sureties. The original demand draft will be handed over to the victim by the Court below through the respondent below. Of-course, this is without prejudice to the petitioner's defence in the trial.

4. Subject to the aforesaid 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 learned Judicial Magistrate Court, Kamuthi.

(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/-
28/01/2020

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

TO

- 1 THE JUDICIAL MAGISTRATE,
KAMUTHI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.C.BETHANASAMY, Advocate (SR-1635[I] dated 28/01/2020)

ORDER

IN

CRL OP(MD) No.1372 of 2020

Date :28/01/2020

RMI

JM/VR/SAR 1/28.01.2020/3P/7C