

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon'ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.3116 of 2019

PRAVEENKUMAR @ PRAVEEN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
TIRUVARUR DISTRICT.
CR.NO.52 OF 2019.

For Petitioner : M/S.M.VIJAYARAGAVAN Advocate

For Respondent : MRS.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.01.2019 for the offences under Sections 294(b), 450 and 506(i) of IPC in Crime No.52 of 2019, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant is working as a doctor in Thiruthuraipoondi Government Hospital and while she was on duty on 20.01.2019, at about 08.50 p.m., the accused persons entered into a quarrel with the doctor and threatened her with dire consequences and damaged the glass windows of the Pharmacy.

3.The learned counsel for the petitioner submitted that the petitioner went to the hospital to get treatment to his friend's wife and at that time, the defacto complainant refused to give treatment and therefore, there was a wordy quarrel. The learned counsel submitted that no damage was caused to any property in the hospital. The learned counsel further submitted that the petitioner was arrested and remanded to judicial custody on 22.01.2019 and he has been in custody for more than 15 days.

4.The learned Additional Public Prosecutor submitted that this petitioner along with another person indulged in violence in the hospital and had also caused damage to the glass windows of the Pharmacy belonging to the hospital which is worth Rs.2,000/-

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to this petitioner.

6. Accordingly, the petitioner is ordered to be released on bail, on his executing a bond for a sum of Rs.5,000/- (Rupees five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruthuraipoondi and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week on Monday at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation.

[c] The petitioner shall deposit a sum of Rs.2,000/- in Crime No. 52 of 2019 before the learned Judicial Magistrate, Thiruthuraipoondi.

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

[e] the petitioner shall not abscond 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]**.

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

-sd/-

07/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUTHURAIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, THIRUTHURAIPOONDI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

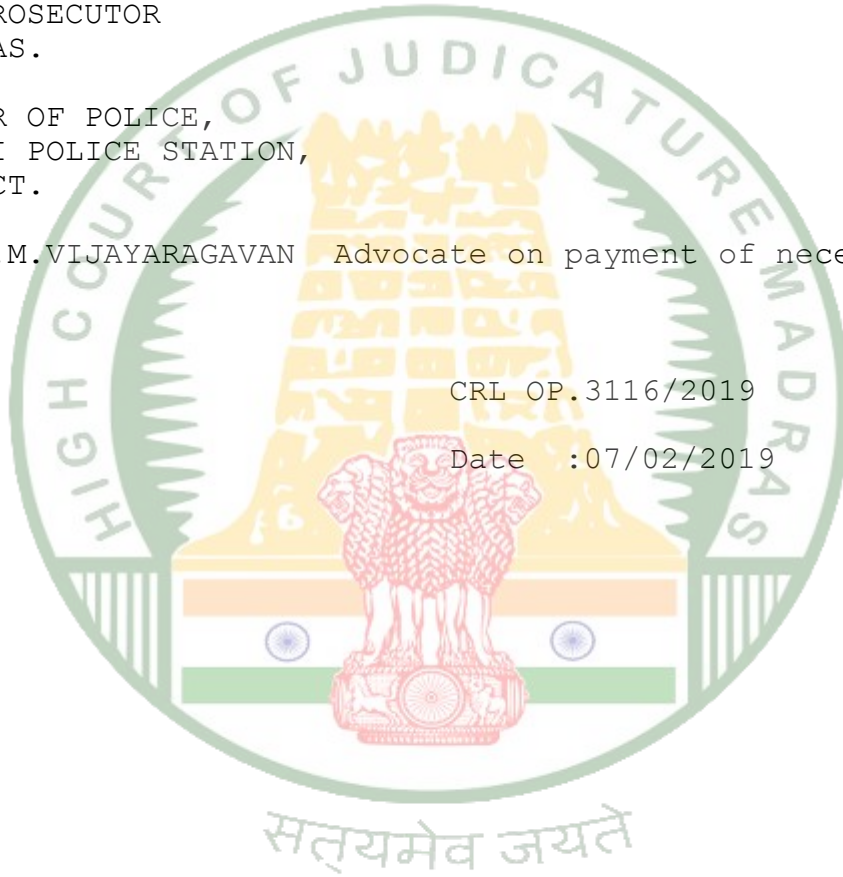
5 THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
TIRUVARUR DISTRICT.

+1 CC to M/S.M.VIJAYARAGAVAN Advocate on payment of necessary
charges-Sr.2756

CRL OP.3116/2019

Date :07/02/2019

ths : 07.02.2019



WEB COPY