



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

Tuesday, the Twenty Sixth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2926 of 2019

1 MUTHUPANDI

2 MANI

... PETITIONER/ACCUSED No.1 & 2

Vs

STATE : THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.47/2019

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.SARAVANAN, Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners who were arrested on 10.02.2019 for the offences under Sections 147,148,294(b), 323, 324, 506(ii), 307 of IPC and Section 4 of Tamil Nadu Prevention of Women Harassment Act ,in Cr.No.47 of 2019, on the file of the respondent police, seek bail.

2.It is the case of the prosecution that due to money dispute between the petitioners and the defacto complainant the petitioners abused the defacto complainant, attacked him and threatened him with dire consequences.

3.The learned counsel appearing for the petitioner would submit that the petitioners have not commit any offence as alleged by the prosecution and they are innocent persons. He would further submit that both the petitioners and the defacto complainant are relatives and that the injured has been discharged from the hospital and hence, he would pray for bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital and that both the



petitioners and the defacto complainant are relatives. He would further submit that investigation is pending.

5. Considering the nature of the case and considering the period of incarceration and also considering the fact that the injured has been discharged from the hospital, I am inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No. II, Ramanathapuram, and on further condition 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

26/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO. II,
RAMANATHAPURAM

<https://hcservices.ecourts.gov.in/hcservices/>

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM



3 THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE,
SUB-PRISON, RAMANATHAPURAM DISTRICT

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

+1. CC to Mr.S.SARAVANAN Advocate SR.No.3801

ORDER
IN
CRL OP(MD) No.2926 of 2019
Date :26/02/2019

aav
PK/PN/SAR-1/26.02.2019 : 3P/7C