



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

Wednesday, the Tenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5303 of 2019

1 KARTHICK @ KARTHIKEYAN
2 PRASANNA

... PETITIONERS / ACCUSED
No.1 and 2

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.
Crime No.80 of 2019

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S.SARAVAGAN PRABHU 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 and remanded to judicial custody since 20.03.2019 for the offence punishable under Sections 294(b), 323, 324, 307 of IPC, in Crime No.80 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 19.03.2019 when the defacto complainant along with his friends had food at first accused's shop, since the food was not cooked in proper manner, the defacto complainant questioned the A1. Hence, A1 joined with A2 attacked the defacto complainant and his friends, thereby his friend sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are realizing their mistake and ready to deposit a sum of Rs.2,000/- to the welfare of 'Cosalai' maintained in Arulmigu Meenakshi Amman Temple, Madurai.

4.The learned Additional Public Prosecutor would submit that the injured person in this case has been discharged from the hospital.



5. Considering the facts and circumstances of the case and since the injured person in this case has been discharged from the hospital and since the petitioners agreed to pay a sum of Rs.2,000/- for the welfare of 'Cosalai' maintained at Meenakshi Amman Temple, Madurai, this Court is inclined to grant bail to the petitioners.

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6. 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 District Munsif cum Judicial Magistrate, Vendasandur, Dindigul District and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall pay a sum of Rs.2,000/- (Rupees Two thousand only) for the welfare of 'Cosalai' maintained in Arulmigu Meenakshi Amman Temple, Madurai before the execution of sureties and shall produce the proof for the same;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation;

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

(e) the petitioners 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 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;

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

sd/-
10/04/2019

/ TRUE COPY /



1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR, DINDIGUL DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE SUB INSPECTOR OF POLICE
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.

4. THE OFFICER INCHARGE,
DINDIGUL DISTRICT PRISON,
DINDIGUL DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
ARULMIGU MEENAKSHI AMMAN TEMPLE, MADURAI.

+1. CC to Mr.S.SARAVAGAN PRABHU Advocate SR.No.6480

ORDER

IN

CRL OP (MD) No.5303 of 2019

Date :10/04/2019

TK/PN/SAR-2/10.04.2019/3P/8C