



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

Date : 14/02/2020

PRESENT

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

CRL OP(MD). No.2639 of 2020

Kannan

... Petitioner/Accused No.1

Vs

The State rep.by  
The Inspector of Police,  
Manachanallur Police Station,  
Trichy.

Crime No.17 of 2020

... Respondent/Complainant

For Petitioner : M/s.M.Suresh,  
Advocate.

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

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

PRAYER :-

for Bail in Crime No.17 of 2020 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 31.01.2020 for the offences punishable under sections 109, 294(b), 324 and 307 of I.P.C., in Crime No.17 of 2020 on the file of the respondent police. He seeks bail.

3.The prosecution case is that the petitioner herein was having an inimical motive against the defacto complainant as he demanded furnishing of accounts for Grama Sabha Meeting. The petitioner is said to have engaged A2 and A3 for assaulting the defacto complainant. The defacto complainant was in hospital for about seven days. He has since been discharged. All the three accused have been arrested. The petitioner's continued incarceration is not necessary. The petitioner is not having any previous case.



4.The petitioner's counsel states that without prejudice to his defence, the petitioner will take a demand draft for a sum of Rs.7,500/- favouring the defacto complainant and submit before the Court below at the time executing sureties.

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5.The Court below shall hand over the demand draft through the respondent police to the defacto complainant directly. This will be a non refundable payment and this will be without prejudice to the petitioner's defence.

6. Taking note of the facts and circumstances of this case, 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 No.III, Trichy.

(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/-  
14/02/2020

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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 III, TRICHY.

2.THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT

3.THE INSPECTOR OF POLICE,  
MANACHANALLUR POLICE STATION,  
TRICHY.



4.THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.

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

+1. CC to M/S.M.SURESH Advocate SR.No.3119

ORDER

IN

CRL OP(MD) No.2639 of 2020

Date :14/02/2020

TK/VR/SAR.2/14.02.2020/3P/7C