



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

Date : 16/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.4656 of 2020

DURAICHAMY

... PETITIONER/ACCUSED NO.1

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO.84/2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.A.Arputharaj,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

for bail in Crime No. 84 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

This petition has been filed by the petitioner/ accused seeking bail for the alleged offence punishable under Sections 294(b), 342,324,323 and 307 of IPC.

2. The petitioner and the defacto complainant are loadman and members of loadman association. The defacto complainant being the Secretary of the association asked the petitioner about accounts which has ended in fight. The petitioner and one karunanithi have attacked the defacto complainant with bricks on his chest and shoulder.

3. The defacto complainant was admitted in hospital and got discharged on 11.03.2020.

<https://hcmcservices.in/hcmcservices>



4. Taking note of the fact that the occurrence has taken place due to fit of anger and the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioner by imposing conditions.

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5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Ramanathapuram

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 daily at 10.00 a.m and 4.00 p.m until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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].

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

sd/-

16/03/2020

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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.I,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

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



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

4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

+1 CC to M/s.A.ARPUTHARAJ, Advocate (SR-5345[I] dated 17/03/2020)

ORDER

IN

CRL OP(MD) No.4656 of 2020

Date :16/03/2020

AAV

JM/VR/SAR 3/17.03.2020/3P/7C