



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

Date : 23/06/2020

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PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD) . No.6338 of 2020

Arokkiya Jegatheesan, ... Petitioner/Accused Rank No.1

Vs

The State rep.by
The Inspector of Police,
Vallathirakkottai Police Station,
Pudukkottai District.
(Crime No. 93 of 2020). ... Respondent/Complainant

For Petitioner : M/s.B.Jameel Arasu,
Advocate.
For Respondent : V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.93 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 Additional Public Prosecutor appearing for the respondent.

2.The petitioner is arrayed as accused A1. He was arrested and remanded to Judicial Custody on 05.05.2020 for the offences punishable under sections 294(B), 323, 506(i) and 302 IPC in Crime No.93 of 2020 on the file of the respondent police. He seeks bail.

3.The learned counsel for the petitioner submitted that it is a case and counter case. Due to sudden altercation in view of cutting fruits of the palm tree, A1 is said to have pushed a person and he fell down on the road and sustained injury and subsequently, died. Counter case has also been registered against the defacto complainant party for the alleged offence under Section 307 IPC in Crime No.430 of 2020.



4. Admittedly no weapon involved in this case. Sudden quarrel was said to have been taken place, which is aggressive and it is a matter for investigation. Hence, I am inclined to enlarge the petitioner on bail with certain conditions.

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(a) Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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, Alangudi, Pudukkottai District;

(b) 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;

(c) The petitioner shall report before the respondent Police daily at 10.00 a.m., until further orders, for interrogation;

(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]***; and;

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

sd/-
23/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

1. THE JUDICIAL MAGISTRATE,
ALANGUDI, PUDUKKOTTAI DISTRICT.
2. DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
VALLATHIRAKKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6338 of 2020

Date :23/06/2020

GNS

AE/PN/SAR-III (23.06.2020) 3P 6C