



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

Date : 19/06/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice M.DHANDAPANI

CRL OP (MD) . No.6412 of 2020

Muthukumar

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Mathur Police Station,
Pudukkottai District
(Crime No. 192/2020).

... Respondent/Complainant

For Petitioner : M/s.D.Ramesh Kumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 192 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, who is the sole accused in Crime No.192 of 2020, on the file of the respondent Police, was arrested and remanded to Judicial Custody on 01.06.2020, for the offences punishable under Sections 452, 294(b) and 307 IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act 1998 and r/w Section 51(b) of Disasters Management Act, seek bail.

3. The case of the prosecution is that due to family dispute between the petitioner and the de-facto complainant, the petitioner said to have abused the de-facto complainant by using filthy



language and said to have assaulted the de-facto complainant. Hence, the complaint.

4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 01.06.2020.

5. The learned Government Advocate (crl.side) appearing for the state, on instructions, would submit that there is a civil dispute between the petitioner and the de-facto complainant. He would further submit that the petitioner's father executed a sale deed in favour of the petitioner in 2014 and now, the petitioner demanded higher price from the de-facto complaint. He would further submit that the injured has been discharged from hospital.

6. I have heard the learned counsel appearing on either side and perused the materials available on record.

7. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital and also considering the period of incarceration undergone by the petitioner, I am inclined to enlarge the petitioner on bail with certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on 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, Keeranur, Pudukottai District.

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judge 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 for a period of two weeks daily at 10.30 am and thereafter, as and when required 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

<https://hcservices.courts.gov.in/hcservices> 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]**.

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

sd/-
19/06/2020

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.6412 of 2020
Date :19/06/2020

CMR
SRS/ JC/ SAR-III/ 19.06.2020/ 3P/6C