



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

Date : 08/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.6921 of 2020

SURESH

... PETITIONER/ACCUSED 15

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
THENI DISTRICT ,
CRIME NO. 39 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.S.C.Herold Singh,
Advocate.

For Respondent : Mr.M.Chandrasekaran
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.39 of 2020 on the file of the Respondent Police

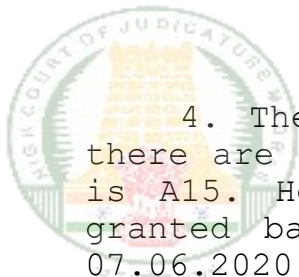
ORDER : The Court made the following order :-

The petitioner herein was arrested and remanded to judicial custody on 07.06.2020 for the alleged offences under Sections 147,148,294(b),324,307,302 and 506(ii) of IPC.

2. The case of the prosecution is that due to some wordy quarrel regarding riding of bike the petitioner herein along with other attacked the deceased with deadly weapons causing injuries, thereby he died on the way to hospital.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case. He would also submit that there is no specific overt act attributed against him. He would also submit that co- accused in

<https://hcservices.e-courts.gov.in/hcservices/> granted bail.



4. The learned Additional Public Prosecutor would submit that there are totally 18 accused in this case and the petitioner herein is A15. He would also submit that even though co-accused were granted bail, this accused surrendered before the Court only on 07.06.2020. Hence he opposed to grant bail to the petitioner.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that co-accused in this case were granted bail this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Principal Sessions Court, Theni

i) 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

ii) the petitioner shall report before the respondent police on every Monday at 10.30 a.m., until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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]**.

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
08/07/2020

/ 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



TO

1 THE PRINCIPAL SESSIONS JUDGE,
THENI.

2 THE INSPECTOR OF POLICE
THENKARAI POLICE STATION,
THERNI DISTRICT.

3 THE OFFICER INCHARGE,
CENTRAL JAIL, THENI.

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

ORDER

IN

CRL OP(MD) No.6921 of 2020

Date :08/07/2020

AAV

JM/PN/SAR 2/08.07.2020/3P/5C