



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 09/07/2020

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PRESENT

**The Hon`ble Mr.Justice V.BHARATHIDASAN**

CRL OP(MD) . No.7129 of 2020

Muniyarasu @ Muniyaraj

... Petitioner/Accused No.1

Vs

State rep.by  
The Inspector of Police,  
Uchipuli Police Station,  
Ramanathapuram District.  
Crime No.342 of 2020.

... Respondent/Complainant

For Petitioner : M/s.S.Deenadhayalan,  
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 Cr.No. 342 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 arrayed as accused No.1. He was arrested and remanded to Judicial Custody on 27.06.2020 for the offences punishable under Sections 147, 148, 294(b), 324, 109, 307 and 120-B of I.P.C., in Crime No.342 of 2020 on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that petitioner's daughter had love affair with defacto complainant's brother and they got married against the wish of her parents. Due to that motive, a quarrel was arose between the petitioner and the defacto complainant and the petitioner attacked the defacto complainant with knife and caused injury. Hence, a complaint.



4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution.

5.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the injured person has already been discharged from the hospital and there is no law and order problem in that area.

6.Taking note of the facts and circumstances of this case and also taking note of the fact that the injured person has already been discharged from the hospital , I am inclined to enlarge the petitioner on bail with certain conditions.

i).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.II, Ramanathapuram.

ii) 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

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

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

v) the petitioner shall not abscond during trial.

vi)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].

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

sd/-

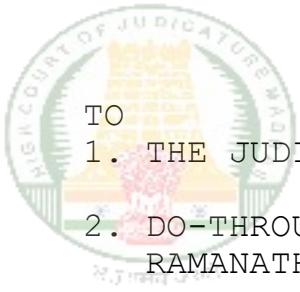
09/07/2020

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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.



TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,  
VIRUDHUNAGAR.
4. THE INSPECTOR OF POLICE,  
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.7129 of 2020

Date :09/07/2020

MS/PN/SAR-3/09.07.2020/3P.6C