



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

Date : 21/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7262 of 2020

1.Gokulraja
2.Sakthivel

... Petitioners/Accused
Nos.1 and 2

Vs

The State rep.by
The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
Crime No.348 of 2020

... Respondent/Complainant

For Petitioners : M/s.P.Ganapathi Subramanian,
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. 348 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners herein were arrested on 25.06.2020 for the alleged offences under Sections 341, 294(b) and 307 of IPC.

2. The petitioners herein are arrayed as A1 and A2.The case of prosecution is that due to some civil dispute on the date of occurrence the petitioners herein along with two other accused are said to have attacked the defacto complainant and thereby caused injuries.

3. The learned counsel for the petitioners would submit that due to some civil dispute a false case been foisted against the petitioners. He would also submit that A3 and A4 in this case were granted anticipatory bail by this Court and the injured person was also discharged from the hospital. Hence they may be granted bail.



4. The learned Government Advocate(Crl.Side) would submit that co- accused namely A3 and A4 was granted anticipatory bail by this Court and the injured person was also discharged from the hospital.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that co- accused namely A3 and A4 were granted anticipatory bail by this Court and the injured person was also discharged from the hospital , this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Keeranur, Pudukottai District

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 petitioners shall report before the respondent police as and when required for interrogation.

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

iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

21/07/2020

/ 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 JUDICIAL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.

4. THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

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

ORDER

IN

CRL OP(MD) No.7262 of 2020

Date : 21/07/2020

AAV

TK/PN/SAR.3/21.07.2020/3P/6C