



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

Date : 24/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.7602 of 2020

Karthikeyan

... Petitioner/Accused
Rank No.1

Vs

The State rep.by
The Inspector of Police,
Mathur Police Station,
Pudukottai District.
Crime No.213 of 2020.

... Respondent/Complainant

For Petitioner : M/s.P.Ganapathi Subramanian,
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.213 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1 herein was arrested and remanded to judicial custody on 03.07.2020 for the alleged offences under Sections 294(b) and 307 of IPC

2. The case of the prosecution is that there was prior quarrel between the parties and due to the same the petitioner herein along with his brother A2 went to the house of the defacto complainant and attacked the defacto complainant's father with aruval and caused serious injuries.

3. The learned counsel for the petitioner would submit that earlier the defacto complainant attacked the petitioner and the petitioner has also given complaint against the defacto complainant and others in Crime No.214 of 2020. He would also submit that injured was also discharged from the hospital.



4. The learned Additional Public Prosecutor would submit that it is a case and counter case. He would also submit that injured was discharged from the hospital and A2 in this case was released on bail.

5. Taking into consideration the fact that it is a case and counter case and also the fact that the injured was also discharged from the hospital and similarly placed co-accused in this case namely A2 was released on bail and also taking into consideration the period of incarceration, 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 learned Judicial Magistrate, Keeranur

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 as and when required for interrogation

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

iv) the petitioner shall not abscond during trial.

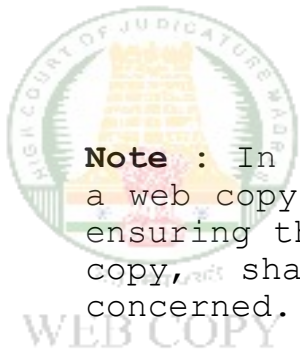
v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
24/07/2020

/ 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 concerned.

TO

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

ORDER
IN
CRL OP(MD) No.7602 of 2020
Date :24/07/2020

AAV
TK/PN/SAR.2/24.07.2020/3P/6C