



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7715 of 2020

Rajasekar ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
Crime No.1002 of 2020.

... Respondent/Complainant

For Petitioner : M/s.T.Lenin Kumar,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :-

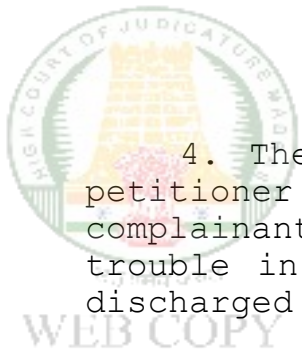
For Bail in Crime No.1002 of 2020 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to
judicial custody on 15.06.2020 for the alleged offences under
Sections 294(b) and 307 of IPC

2. The case of the prosecution is that on 15.06.2020, the
petitioner in an inebriated mood said to have attacked the defacto
complainant who is working as a watchman in the shop and caused
serious injuries.

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 injured was discharged from
the hospital and he is in jail for nearly 40 days, hence he may be
granted bail.



4. The learned Additional Public Prosecutor would submit that petitioner in an inebriated mood said to have attacked the defacto complainant who is working as a watchman in the shop and created trouble in that area. He would also submit that injured was also discharged from the hospital.

5. Taking into consideration the facts and circumstances of the case that the incident occurred due to wordy quarrel and also the fact that the injured was also discharged from the hospital 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, Aranthangi, 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 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.

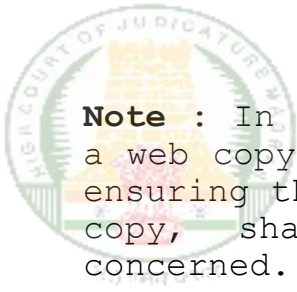
v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

WEB COPY

TO

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

ORDER
IN
CRL OP(MD) No.7715 of 2020
Date :24/07/2020

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