



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

Date : 30/07/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7947 of 2020

1. SATHEESKUMAR
2. VINOTHKANNAN
3. KAMARAJ

... PETITIONERS/ACCUSED NO.1 TO 3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUPALAIKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO. 212 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.D.Balamurugapandi,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

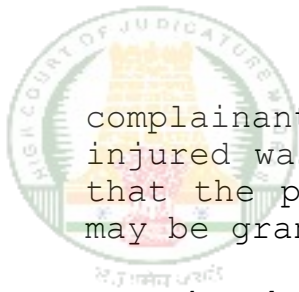
For Bail in Cr.No.212 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3 herein were arrested on 10.07.2020 for the alleged offences under Sections 147,341,294(b),324,307 of IPC and Section 4 of TNPHW Act.

2. The case of the prosecution is that due to some wordy quarrel between the petitioners and the defacto complainant/injured on the date of occurrence the petitioners herein unlawfully assembled together and attacked the defacto complainant and caused injuries. Hence the complaint.

3. The learned counsel for the petitioners would submit that it is case and counter case. He would also submit that due to some
<https://www.e-courts.gov.in/cases/> the petitioners herein attacked the defacto



complainant and caused injuries. He would also submit that the injured was also discharged from the hospital. He would also submit that the petitioners are in jail for nearly 21 days and hence they may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that due to wordy quarrel between the parties the petitioners have attacked the defacto complainant and caused injuries. He would also submit that the injured person was also discharged from the hospital. He would also submit that it is a case and counter case and A3 in this case was also injured.

5. Taking into consideration the fact that the occurrence have taken place due to wordy quarrel and it is a case counter case and also the fact that the injured was also discharged from the hospital and also the taking into consideration the period of incarceration, 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 No.I, Ramanathapuram.

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.

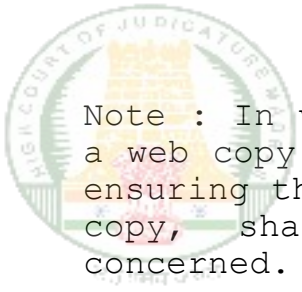
sd/-

30/07/2020

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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.

WEB COPY

- TO
- 1 THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
 - 3 THE INSPECTOR OF POLICE
THIRUPALAIKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 4 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-5843[I] dated
30/07/2020)

ORDER
IN
CRL OP(MD) No.7947 of 2020
Date :30/07/2020

AAV
JM/PN/SAR 2/30.07.2020/3P/7C