



WEB COPY

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

Date : 24/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8859 of 2020

M.Madhankumar

... Petitioner/Accused No.1

Vs

The State rep by
The Inspector of Police,
Kovilpatti East Poice Station,
Thoothukudi District.
Crime No.603/2020.

... Respondent/Complainant

For Petitioner : Mr.A.S.Vaigunth for
Mr.G.Thalaimutharasu,
Advocate.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

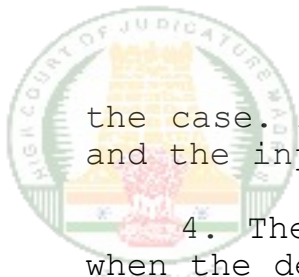
For Bail in Crime No.603/2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner /A1 herein was arrested and remanded to judicial custody on 23.07.2020 for the alleged offences under Sections 294 (b), 341, 323, 506(ii) of IPC @ 294(b), 341, 323, 506(ii) and 307 of IPC.

2. The case of the prosecution is that when the defacto complainant and her husband was returning from work the petitioner herein along with other accused persons is said to have quarrelled with them and attacked the defacto complainant and caused injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner herein is innocent and he has been falsely implicated in



the case. He would also submit that A2 and A4 were released on bail and the injured was also discharged from the hospital.

4. The learned Government Advocate(Crl.Side) would submit that when the defacto complainant and her husband was returning from work the petitioner herein along with other accused is said to have quarrelled with them and attacked the defacto complainant and caused injuries. He would also submit that A2 and A4 were released on bail and the injured 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 in this case were granted bail and the fact that the injured was discharged from the hospital, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kovilpatti

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/-
24/08/2020

/ 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 NO.I,
KOVILPATTI.
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
- 4.THE INSPECTOR OF POLICE,
KOVILPATTI EAST POICE STATION,
THOOTHUKUDI DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8859 of 2020
Date :24/08/2020

AAV
AE/VR/SAR-II (24.08.2020) 3P 6C