



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

Date:25/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.8894 of 2020

A.TONY RAJA

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.33/2020

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.I.PINAYGASH, Advocate

For Respondent : MR.M.CHANDRASEKARAN,
Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/sole accused herein was arrested and remanded to judicial custody on 04.08.2020 for the alleged offences under Sections 452 and 307 of IPC.

2. The injured person is the sister daughter and the petitioner herein want to marry her, since she refused the petitioner herein cut the injured with blade and caused injuries. Based on the complaint given by the mother of the injured crime was registered and the petitioner was arrested.

3. The learned counsel for the petitioner would submit that both the petitioner family and the injured family are close relatives. He would also submit that due to some enmity a false case has been foisted against the petitioner. He would also submit that the injured was discharged from the hospital and the petitioner was in jail for nearly 22 days, hence he may be granted bail.

4. The learned Additional Public Prosecutor would submit that since the injured refused to marry the petitioner herein, the petitioner herein attacked the injured with blade and caused injuries. He would also submit that the injured was discharged from



5. Taking note of the above facts and circumstances of the case and also taking note of the fact that injured was discharged from the hospital and also taking note of the fact that it is dispute between two families 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, 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/-

25/08/2020

/ TRUE COPY /

/ /2020

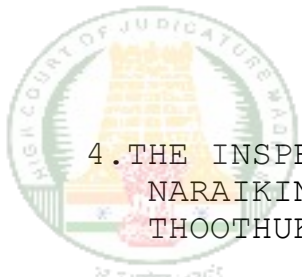
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
NO II, KOVILPATTI.

2. THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE OFFICER INCHARGE,
SUB JAIL, PERURANI.



4.THE INSPECTOR OF POLICE
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT.

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

CRL OP (MD) No.8894 of 2020
Date :25/08/2020

TR/RSK(25.08.2020) 3P 6C