



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

Date : 05/11/2020

WEB COPY

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

CRL OP(MD). No.12477 of 2020

T.Jayaraj

... Petitioner/Sole Accused

Vs

The State rep.by  
The Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.  
Crime No.374 of 2020

... Respondent/Complainant

For Petitioner : Mr.A.Balakrishnan,  
Advocate.

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

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

PRAYER :-

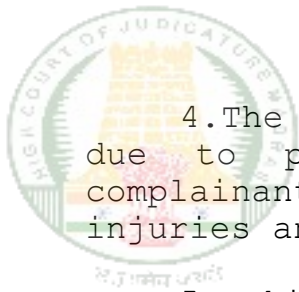
For Bail in Crime No.374 of 2020 on the file of the Respondent Police

**ORDER :** The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 15.10.2020 for the offences punishable under Sections 294(b), 324,307 and 506(ii) of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that due to previous enmity the petitioner attacked the defacto complainant with defacto complainant with deadly weapons and caused injuries. Hence the complaint.

3.The learned counsel for the petitioner would submit that it is a case and case in counter and the injured was also discharged from the hospital.



4.The learned Government Advocate(Crl.Side) would submit that due to previous enmity the petitioner attacked the defacto complainant with defacto complainant with deadly weapons and caused injuries and now the injured was also discharged from the hospital.

5.Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also 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.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Eraniel

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 daily 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/-  
05/11/2020

/ 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



TO

1. THE JUDICIAL MAGISTRATE, ERANIEL.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,  
KARUNGAL POLICE STATION,  
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**COPY TO:**

THE OFFICER INCHARGE,  
GOVERNMENT MEDICAL COLLEGE HOSPITAL,  
ASARIPALLAM.

**(THE PETITIONER IS STILL INPATIENT, AND HE WAS NOT CONFINED AT JAIL)**

ORDER

IN

CRL OP(MD) No.12477 of 2020

Date : 05/11/2020

AAV

TK/VR/SAR.4/05.11.2020/3P/6C