



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

Date : 10/11/2020

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.12778 of 2020

1.Sankaranarayanan
2.Jeganathan

... Petitioners/Accused
Nos.9 and 11

Vs

State Rep.by
The Sub Inspector of Police,
Karuppayurani Police Station,
Madurai.
(Crime No.1213 of 2020)

... Respondent/Complainant

For Petitioners: M/s.N.Satheeshkumar,
Advocate.

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

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

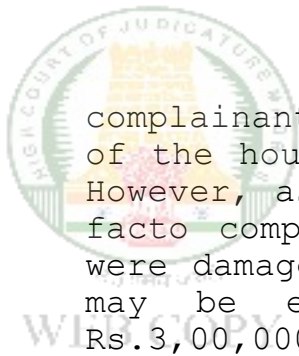
PRAYER :- For Bail in Cr.No.1213 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners are arrayed as accused A9 and A11. They were arrested and remanded to Judicial Custody on 12.10.2020 for the offences punishable under sections 147, 148, 290, 451, 436 and 109 of I.P.C., Section 4 of TNPPDL Act, in Crime No.1213 of 2020 on the file of the respondent police. They seek bail.

3. The learned Government Advocate (Crl.side) made a submission that the de-facto complainant itself is an accused and involved in double murdered case. There is a large scale of criminal activities both by the de-facto complainant and by the petitioners along with other persons and totally 23 accused have involved in the present case. They have suddenly entered into the house of the de-facto



complainant and damaged the house-hold articles as well as the roof of the house and the damage is assessed to a sum of Rs.3,00,000/-. However, as per the prosecution, no injury was inflicted on the de-facto complainant. The property of the de-facto complainant alone were damaged and this being the factum established, the petitioners may be enlarged on bail to deposit the damage amount of Rs.3,00,000/- as assessed by the prosecution.

4. Accordingly, the petitioners are directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs) to the credit of Crime No.1213 of 2020 on the file of the learned Judicial Magistrate No.II, Maudrai. On such deposit, the petitioners are ordered to be released on bail and each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai.

(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 daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness

(iv) the petitioners shall not abscond either during investigation or 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/-
10/11/2020

/ 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 concerned.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.
4. THE SUB INSPECTOR OF POLICE,
KARUPPAYURANI POLICE STATION,
MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.12778 of 2020

Date :10/11/2020

MS/VR/SAR-3/09.11.2020/3P.6C