



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

Date : 11/11/2020

PRESENT

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

CRL OP(MD). No.12886 of 2020

Marimuthu ... Petitioner/1st Accused

Vs

The State, Represented by its,
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.1974 of 2020). ... Respondent/Complainant

For Petitioner : M/s.M.S.Jeyakarthik,
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.1974 of 2020 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner/1st accused, who was arrested and remanded to
judicial custody on 12.10.2020 for the offences punishable under
Sections 294(b), 323, 324, 307 and 506(ii) of IPC, in Crime No.1974
of 2020, on the file of the respondent police, seeks bail.

2.On account of the civil suit between the petitioner and the
de-facto complainant, there was an exchange of physical attack and
the de-facto complainant suffered serious injuries.

3.The learned Government Advocate (Crl. Side) brought to the
notice of this Court that the de-facto complainant was discharged
from the hospital. The crime allegedly committed on account of the
civil suit between the two parties.

4.Taking note of the above facts and circumstances of the case
and also taking into consideration the period of incarceration, this
Court is inclined to grant bail to the petitioner subject to the



5. 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Melur.

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 is directed to be present before the respondent police every day twice morning at 10.00 am., and evening at 06.00 pm., for a period of four weeks and thereafter, the petitioner is directed to appear 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 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/-
11/11/2020

/ 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.

TO

1 THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.madras.gov.in/hcservices/>



3 THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.7490

ORDER

IN

CRL OP(MD) No.12886 of 2020

Date :11/11/2020

sj i

JM/VR/SAR IV/11.11.2020/3P/7C