



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

Date : 01/12/2020

PRESENT

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

CRL OP(MD). No.13706 of 2020

Saravanan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Devakottai Taluk Police Station,
Devakottai, Sivagangai District.
(Crime No.395/2020).

... Respondent/Complainant

For Petitioner : M/s.S.M.Sanjay,
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.395 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 25.10.2020 for the offences punishable under
Sections 294(b), 448,307 of IPC on the file of the respondent
police seeks bail.

2.The case of the prosecution is that due to previous enmity on
24.10.2020 the petitioner herein trespassed into the house of the
defacto complainant and attempted to kill the defacto complainant.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case. He would also submit that no one sustained in the said
occurrence.

4. The learned Government Advocate(Crl.Side) would submit that
no one sustained in the said occurrence.



5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that no one sustained injuries in the said occurrence, 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, Devakottai

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 for a period of four 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/-
01/12/2020

/ 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, DEVAKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
DEVAKOTTAI, SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.M.SANJAY, Advocate (SR-7798[I] dated 01/12/2020)

ORDER
IN
CRL OP(MD) No.13706 of 2020
Date : 01/12/2020

MS/PN/SAR-2/01.12.2020/3P.7C