



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

Date : 04/12/2020

PRESENT

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

CRL OP(MD). No.13998 of 2020

1. Vinothkumar
2. Ramanathan @ Ramu ... Petitioners/Accused No.2 & 5

Vs

State Rep.by
The Inspector of Police,
Aaravayal Police Station,
Sivagangai District.
(Crime No.224 of 2020) ... Respondent/Complainant

For Petitioners : M/s.C.Muthusaravanan,
Advocate.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

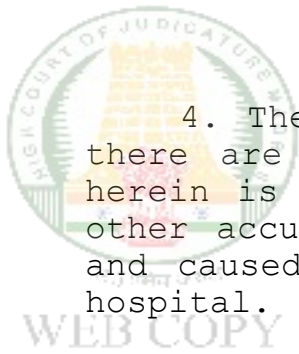
PRAYER :- For Bail in Crime No.224 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and A5 , who were arrested and remanded to judicial custody on 06.11.2020 for the offences punishable under Sections 120(b),109,341 and 307 of IPC on the file of the respondent police seek bail.

2.The case of the prosecution is that the defacto complainant is working as a Salesman in the Fair Price Shop situated at Vengalur village and on 01.11.2020 at about 5.00 pm., when he was proceeding towards his house the petitioners herein along with other accused persons attacked the defacto complainant with sickle and caused injuries. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would also submit that the injured was already discharged from the hospital.



4. The learned Government Advocate(Crl.Side) would submit that there are totally five accused in this case and the petitioner herein is arrayed as A2 and A5. The petitioners herein along with other accused persons attacked the defacto complainant with sickle and caused injuries and 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 already discharged from the hospital, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners shall report before the respondent police daily at 10.30 a.m and 5.30 pm., until further orders.

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

iv) the petitioners 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 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 accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/12/2020

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/ /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, 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,
AARAVAYAL POLICE STATION, SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13998 of 2020

Date : 04/12/2020

MS/PN/SAR-4/04.12.2020/3P.6C