



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.14062 of 2020

Somasundaram @ Shanmuga Sundar

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi.
Crime No.484 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.484 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who were arrested and remanded to judicial custody on 15.11.2020 for the offences punishable under Sections 341, 294(b), 352, 307 and 506(ii) of IPC on the file of the respondent police seek bail.

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

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 the injured was already discharged from the hospital.

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



hospital. He would also submit that three previous cases are pending against him.

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 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, Srivaikundam

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 stay at Madurai and report before the Tallakulam Police Station daily at 10.30 a.m and 5.30 pm., for a period of three weeks and thereafter before the respondent police for another three 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/-
04/12/2020

/ 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, remains the responsibility of the advocate/litigant concerned.

<https://hccs.court.gov.in/services>



TO

1. THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL, KOVILPATTI.
4. THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI.

ORDER
IN
CRL OP(MD) No.14062 of 2020
Date :04/12/2020

MS/PN/SAR-4/04.12.2020/3P.7C