



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

Date : 21/12/2020

PRESENT

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

CRL OP(MD). No.14607 of 2020

Rathinakumar

...Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli.

(Crime No.1599/2020)

... Respondent/Complainant

For Petitioner : Mr.S.Thalamuthuraja,
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.1599/2020 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 21.11.2020 for the offences punishable under Sections 228 and 353 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 20.11.2020 while the Court premises was going on in the Court of Additional Mahila Court, Tirunelveli the petitioner herein disturbed the court proceedings intentionally and thereby prevented the employees from discharging their official duties. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and due to family dispute the petitioner was in depression, hence he has acted like that. He would also submit that the petitioner is in jail for more than 25 days, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that on 20.11.2020 while the Court premises was going on in the Court of



Additional Mahila Court, Tirunelveli the petitioner herein disturbed the court proceedings intentionally and thereby prevented the employees from discharging their official duties

5. 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 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 No.I, Tirunelveli

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 Additional Mahila Court, Tirunelveli daily at 10.30 a.m and 5.30 pm., until further orders.

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/-
21/12/2020

/ 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



TO

1. THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE JUDGE,
ADDITIONAL MAHILA COURT,
TIRUNELVELI.

ORDER

IN

CRL OP(MD) No.14607 of 2020

Date :21/12/2020

MS/PN/SAR-4/21.12.2020/3P.7C