



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/12/2020

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15289 of 2020

Prabhakaran

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
Crime No. 456 of 2020.

... Respondent/Complainant

For Petitioner : M/s.Suresh Kumar.R,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Criminal Side)

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

PRAYER :-

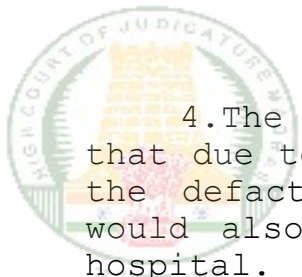
For Bail in Crime No.456 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 05.11.2020 for the offences punishable under Sections 294(b), 341,307 and 506(ii) of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that due to family dispute there was an wordy altercation in which the petitioner herein abused, assaulted the defacto complainant and also criminally intimidated him. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against the petitioner. He would also submit that the injured was also discharged from the hospital.



4.The learned Government Advocate(Criminal Side) would submit that due to previous enmity the petitioner herein abused, assaulted the defacto complainant and also criminally intimidated him. He would also submit that 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 taking note of the fact that the injured was also 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 No.II, Sivagangai

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 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/-
30/12/2020

/ 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.II,
SIVAGANGAI.

2. -DO- THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

4. THE INSPECTOR OF POLICE,
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. C.C. to M/S.M.S.JEYAKARTHIK, Advocate (SR.No.8582 dated
31/12/2020)

ORDER

IN

CRL OP(MD) No.15289 of 2020

Date :30/12/2020

AAV/SJI

SRS/SMA/SAR-III/30.12.2020/3P/7C