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

Date : 23/12/2020

PRESENT

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

CRL OP(MD). No.15634 of 2020

1. M.Senthurpandian
2. S.Uttami

... Petitioners/Accused No.1 & 3

Vs

State Rep. by
The Inspector of Police,
Pudukottai Police Station,
Tuticorin District.
Crime No.589/2020.

... Respondent/Complainant

For Petitioners : M/s.Karuppasamy Pandiyan.G,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

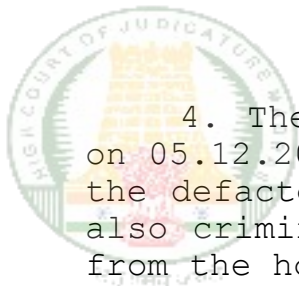
PRAYER :- For Bail in Crime no. 589 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A3 , who were arrested and remanded to judicial custody on 07.12.2020 for the offences punishable under Sections 294(b), 307 and 506(ii) of IPC on the file of the respondent police seek bail.

2.The case of the prosecution is that on 05.12.2020 the petitioners herein along with other accused abused the defacto complainant and attempted to murder him with aruval and also criminally intimidated him. Hence the complaint.

3.The learned counsel for the petitioners would submit that due to civil dispute a false case has been foisted against the petitioners. The petitioners herein are none other the parents of second accused and aged about 70 and 65 respectively. He would also
<https://hcs.judiciary.gov.in/hcs/judices/> injured was discharged from the hospital.



4. The learned Government Advocate(Crl.Side) would submit that on 05.12.2020 the petitioners herein along with other accused abused the defacto complainant and attempted to murder him with aruval and also criminally intimidated him and the injured was also discharged from the hospital.

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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 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tuticorin

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 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/-

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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.III,
TUTICORIN.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
PUDUKOTTAI POLICE STATION,
TUTICORIN DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL,
PERURANI, TUTICORIN.

5 THE OFFICER INCHARGE,
SPECIAL CELL FOR WOMEN, TIRUNELVELI.

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

ORDER

IN

CRL OP(MD) No.15634 of 2020

Date :23/12/2020

aav

JM/PN/SAR III/23.12.2020/3P/7C