

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Crl.O.P.No.2022 of 2021

Murali

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.
(Crime No.86 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.86 of 2021 pending investigation on the file of the Respondent.

For Petitioner : Mr. M.Vijaya Ragavan

For Respondent : Mrs.M. Prabhavathi,
Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 12.01.2021 for the offence punishable under Sections 294(b), 353, and 309 of I.P.C. in Crime No.86 of 2021, seeks bail.

2. The petitioner is the sole accused in this case. The case of the prosecution is that the petitioner is working as Junior Baliff in the learned District Munsif Court, Thiruthuraipoondi. On the date of occurrence, he has quarrelled under the influence of liquor and prevented the court staffs from doing their work and poured kerosene over himself and tried to commit suicide in the court complex. Hence, a criminal case has been registered against the petitioner and he was arrested and remanded to judicial custody on 11.01.2021. Now, he has filed this petition seeking for bail.

3. The learned counsel appearing for petitioner would submit that he is an innocent person and he is no way connected with the occurrence as alleged in the complaint. He would submit that he has been falsley implicated in this case. Hence, he prays for grant of bail to the petitioner.

3. The learned Additional Public Prosecutor would submit that the petitioner is working as a Junior Bailiff at the learned District Munsif Court, Thiruthuraipoondi. She would submit that as the pongal bonus was not given to the petitioner, he has quarrelled with the staff in an inebriated mood. Hence, a criminal case has been

registered and he was arrested and remanded to judicial custody on the same day. However, she opposed to grant bail to the petitioner.

5. Considering the said facts and circumstances, the petitioner has only demanded Pongal bonus, as a result of which, he has quarreled with the other staff, and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruthuraipoondi and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner, on his release from prison shall report before the respondent police as and when required for interrogation;

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-

08/02/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUTHURAIPOONDI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
TIRUVARUR

5 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGAPATTINAM

CC to M/S M.VIJAYA RAGAVAN Advocate on payment of necessary charges

सत्यमेव जयते

CRL OP.2022/2021

Date : 08/02/2021

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RVR 09/02/2021