



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/02/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.1519 of 2021

1. Ponnaiah

2. Aakash

... Petitioners/Accused No.17 and 18

Vs

State Rep. by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
Crime No. 1122 of 2020.

... Respondent/Complainant

For Petitioners: Mr.Krishnaveni.P,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Additional Public Prosecutor

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

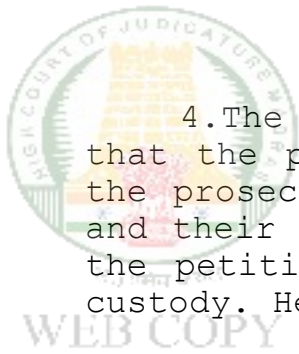
PRAYER :- For Bail in Crime No.1122 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A17 and A18, who were arrested and remanded to judicial custody on 20.12.2020 for the offences punishable under Sections 147, 148, 294(b), 342, 324, 307 and 506(ii) of IPC, in Crime No.1122 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with other accused persons have way laid the defacto complainant's son and assaulted him with deadly weapons and caused grievous injuries on all over the body and also criminally intimidated him. Hence, a complaint has been registered.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the



4.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and their name is not found in the FIR. He further submitted that the petitioners were arrested on 20.12.2020 and they are still in custody. Hence, they seeks bail.

5.The learned Government Advocate(Crl.Side) appearing for the respondent Police submitted that there are eight previous cases pending against the petitioners.

6.Taking note of the above facts and circumstances of the case also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7.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.I, 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 petitioners shall report before the Chengalpattu Police Station daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
05/02/2021

/ TRUE COPY /

/ /2021
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 concerned.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE OFFICER INCHARGE,
RAMANATHAPURAM DISTRICT JAIL,
RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
CHENGALPATTU POLICE STATION, CHENGALPATTU.

+1. CC to M/S.KRISHNAVENI.P Advocate SR.No.744

ORDER

IN

CRL OP(MD) No.1519 of 2021

Date :05/02/2021

VSG

JM/VR/SAR III/05.02.2021/3P/8C