



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

Date : 18/02/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2571 of 2021

Venkatesh Perumal @ Venkadesh

... Petitioner/Accused 2

Vs

The State rep.by
The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No.648/2020.

... Respondent/Complainant

For Petitioner : Mr.A.S.Vaigunth,
Advocate.

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

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

PRAYER :-

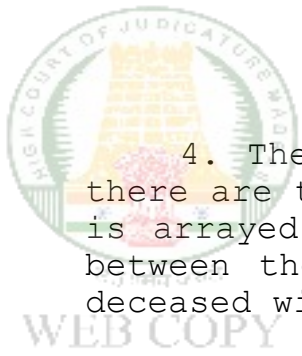
For Bail in Crime no. 648 of 2020 on the file of the
respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 15.12.2020 for the offences punishable under Sections 448, 294(b), 323, 302 and 506(i) of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that due to wordy quarrel between the parties the accused persons said to have attacked the deceased with hands, kicked him with legs and caused death to 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 A1 was released on bail by the Juvenile Justice Board, Tirunelveli. He would also submit that the petitioner is in jail for more than 50 days, hence he may be granted



4. The learned Government Advocate(Crl.Side) would submit that there are totally two accused in this case and the petitioner herein is arrayed as A2. He would also submit that due to wordy quarrel between the parties the accused persons said to have attacked the deceased with hands, kicked him with legs and caused death to him.

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 A1 in this case was released on bail and also taking note of the fact that no weapon has been used in the assault, 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 relatives sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, 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 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/-
18/02/2021

/ 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.III, TIRUNELVELI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 4.THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2571 of 2021
Date :18/02/2021

AAV
TK/PN/SAR.4/18.02.2021/3P/6C