



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 04/03/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.3417 of 2021

1. Satishkumar
2. Surendrababu
3. Silambarasan

... Petitioners 1 to 3/Accused No.2 to 4

Vs

The State rep.by,  
The Inspector of Police,  
Gandhi Market Police Station,  
Trichy,  
(Crime. No. 10/2021)

... Respondent/Complainant

For Petitioner : M/s.Vishnu.V.,  
Advocate.

For Respondent : Mr.M.Chandra Sekaran,  
Additional Public Prosecutor

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

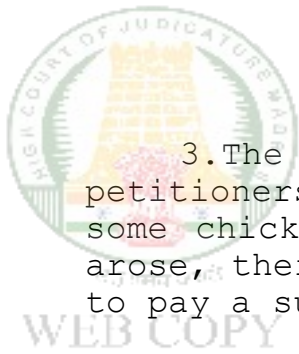
PRAYER :-

For Bail in Crime No. 10 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 to 4, who were arrested and remanded to judicial custody on 03.01.2021 for the offences punishable under Sections 294(b), 323, 324, 427, 307 and 506(ii) of IPC, on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to some dispute regarding demand of chicken on credit basis, there was a wordy quarrel between the parties, in which, the petitioners herein attacked the de-facto complainant and his brother who sustained injuries. Further, they caused damage to the chicken shop. Hence, the



3.The learned counsel for the petitioners would submit that the petitioners were working in a horse stud nearby, they had purchased some chicken items and there was some dispute and a wordy quarrel arose, there was push and pull. Further, the petitioners undertakes to pay a sum of Rs.7,500/- to the de-facto complainant directly.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners had deliberately picked up a quarrel for not making payments for the chicken items, purchased an payment of damages, their bail application can be considered.

5.In view of the above, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a]the petitioners shall pay a sum of **Rs.7,500/- (Rupees Seven Thousand and Five Hundred only)** to the defacto complainant directly without prejudice to his rights and contentions. The petitioners shall produce the proof of payment to the Magistrate while executing sureties.

[b] On producing the proof of the same the petitioners shall execute 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.V, Trichy.

[c] 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;

[d] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period two weeks and thereafter, as and when required for interrogation.

[e]the petitioners shall not abscond either during investigation or trial.

[f]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g]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].



[h]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
04/03/2021

/ TRUE COPY /

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/ /2021

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

sjj

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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,  
TRICHY.
- 2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE  
GANDHI MARKET POLICE STATION,  
TRICHY,
- 4 THE SUPERINTENDENT,  
CENTRAL PRISON,  
TIRUCHIRAPALLI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.VISHNU, Advocate SR.No.1781

ORDER  
IN  
CRL OP(MD) No.3417 of 2021  
Date :04/03/2021

NR/PN/SAR-IV(05.03.2021) 3P:7C