



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

Date : 08/03/2021

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD). No.3596 of 2021

Sivanmurugan

... Petitioner/Accused(Sole)

Vs

State Rep.by  
The Inspector of Police,  
Sayalkudi Police Station,  
Ramanathapuram District.  
Crime No.10 of 2021.

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugn,  
Advocate.

For Respondent : Mr.M.Chandrasekaran,  
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.

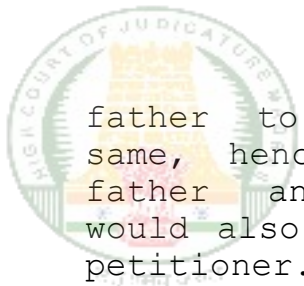
ORDER : The Court made the following order :-

The petitioner/sole accused , who was arrested and remanded to judicial custody on 11.01.2021 for the offences punishable under Sections 294(b), 324, 326 and 307 of IPC on the file of the respondent police seek bail.

2.The case of the prosecution is that on 10.01.2021 the father of the defacto complainant refused to give liquor to the petitioner, hence the petitioner herein assaulted the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioner would submit that due to wordy quarrel a false case has been foisted against the petitioner. He would also submit that the injured got discharged from the hospital.

4. The learned Additional Public Prosecutor would submit that the defacto complainant's father used to give liquor to the petitioner, hence on 10.01.2021 the petitioner came to the defacto complainant's father house and he asked the defacto complainant's



father to give liquor, the defacto complainant's father refused to same, hence the petitioner assaulted the defacto complainant's father and now the injured got discharged from the hospital. He would also submit that three previous case is pending against the petitioner.

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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 got discharged from the hospital, 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kadaladi

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 am., 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 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/-  
08/03/2021

/ 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.

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TO

1. THE JUDICIAL MAGISTRATE, KADALADI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL,  
RAMANATHAPURAM.
4. THE INSPECTOR OF POLICE,  
SAYALKUDI POLICE STATION,  
RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.3596 of 2021  
Date :08/03/2021

AAV  
MS/VR/SAR-1/08.03.2021/3P.6C