



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/03/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.3692 of 2021

Naresh @ Deepak

... Petitioner/Accused No.1

Vs

State rep.by,
The Inspector of Police,
Town Police Station, Pattukkottai,
Thanjavur District
Crime. No.118/2021.

... Respondent/Complainant

For Petitioner : M/s.Kameswaran.S,
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. 118 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 11.02.2021 for the offences punishable under Sections 147,148,294(b),324, 307, 506(ii),379 and 34 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that earlier one Veerakumar was murdered by the defacto complainant group and inorder to take revenge over the same on 09.02.2021 the petitioner along with other accused said to have abused and assaulted the defacto complainant with aruval. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the



from the hospital and the co-accused in this case namely A3 was granted bail by this Court on 04.03.2021 in Crl.O.P(MD) No. 3420 of 2021, hence he seeks bail.

4. The learned Government Advocate(Crl.Side) would submit that there are totally ten accused in this case and the petitioner herein is arrayed as A1. He would also submit that the injured got discharged from the hospital and some of the accused are still absconding. He would also submit that A3 was granted bail by this Court on 04.03.2021 in Crl.O.P(MD) No. 3420 of 2021

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 and also taking note of the fact A3 was granted bail by this Court, 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, Pattukottai.

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 after discharge from the hospital shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

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/-
09/03/2021

/ TRUE COPY /

/ /2021

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



AAV

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,
PATTUKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KOMBAKONAM.
- 3 THE INSPECTOR OF POLICE
TOWN POLICE STATION, PATTUKKOTTAI,
THANJAVUR DISTRICT
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3692 of 2021
Date :09/03/2021

NR/VR/SAR-II(09.03.2021) 2P:6C