



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 22/03/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.4373 of 2021

Hariharan @ Veli Kunjan

... Petitioner/Accused No.1

Vs

The State rep.by,  
The Inspector of Police,  
Srirangam Police Station,  
Trichy District.  
Crime.No. 187 of 2021..

... Respondent/Complainant

For Petitioner : M/s.Yamuna R,  
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.187 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 15.02.2021 for the offences punishable under Sections 294(b), 341,307 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner herein demanded the defacto complainant who is the employee of the tasmac shop to provide him liquor bottle at free of cost and when he refused the petitioner herein said to have abused him, assaulted him and also threatened with dire consequences. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and in the said occurrence no one

<https://hcservices.courts.mv.in/hcservices>



4. The learned Government Advocate(Crl.Side) would submit that the petitioner is a rowdy element and having six previous cases against him. He would also submit that no one sustained injuries in the said occurrence.

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 no one sustained injuries in the said occurrence, 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, Srirangam, Trichy District

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 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/-  
22/03/2021

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/ /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.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE,  
SRIRANGAM, TRICHY.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE  
SRIRANGAM POLICE STATION, TRICHY 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.4373 of 2021  
Date :22/03/2021

NR/VR/SAR-III(22.03.2021)3P:6C