



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

Date : 28/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.5994 of 2021

Senthihlraj @ Senthilraja

... Petitioner/Accused No.3/
Accused No.3

Vs

State Rep.by
The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai,
Dindigul District.
(Crime No.50 of 2014)

... Respondent/Complainant

For Petitioner : Mr.S.Sarvagan Prabhu,
Advocate.
For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.50 of 2014 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 18.02.2020 for the offences punishable under Section 307 IPC @ 307 (2 counts) IPC in Crime No.50 of 2014 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant running a snacks shop near Government women College, Vadamadurai. The petitioner along with other accused scolded the defacto complainant for irregular rent payment and tried to pour the hot oil on the defacto complainant and his wife. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is A3 in this case and he was absent before the Court below on 16.10.2020 and therefore, Non-Bailable Warrant was issued and he was secured on 18.02.2020. He further submitted that this was first time that the petitioner remained absent, due to COVID-19 situation and hence, he seeks bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent submitted that the case is posted for examination of the witnesses.

5.Taking into consideration the facts and circumstances of the case and fact that the case is posted for examination of the witnesses and also the fact that this was the first time that the petitioner was absent, this Court is inclined to grant bail to the petitioner.

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 Fast Track Mahila Judge, Dindigul and on further condition that:

[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the Court below on first working day of every month, until further orders.

[c]the petitioner shall not abscond either during investigation or trial.

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e]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]**.

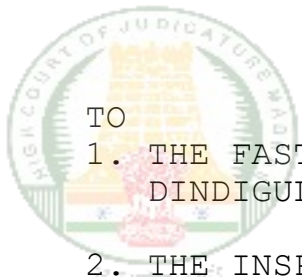
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
28/04/2021

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/ /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.



TO

1. THE FAST TRACK MAHILA JUDGE,
DINDIGUL.

2. THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
VADAMADURAI,
DINDIGUL DISTRICT.

3. THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-3471[I] dated
28/04/2021)

ORDER

IN

CRL OP(MD) No.5994 of 2021

Date :28/04/2021

GNS

MS/VR/SAR-2/28.04.2021/3P.6C