



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

Date : 20/05/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.6937 of 2021

Iyyappan

... Petitioner/1st Accused

Vs

State Rep. by
The Inspector of Police,
Kallakudi Police Station,
Tiruchirappalli District.
Crime No.129 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Mathiyalagan.R,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.129 of 2021 on the file of the respondent police.

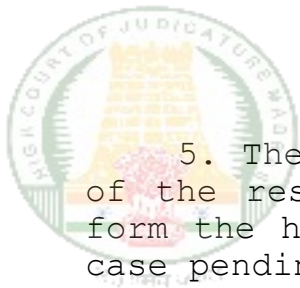
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is arrayed as accused No.1. He was arrested and remanded to Judicial Custody on 24.04.2021 for the offences punishable under sections 294(b) and 307 of I.P.C., in Crime No. 129 of 2021 on the file of the respondent police. He seeks bail.

3. The case of the prosecution is that due to previous motive, on 22.04.2021 at about 6.15 pm., the defacto complainant along with his family came from the opposite direction in their two wheeler, at the time, the petitioner dashed the said vehicle. Hence, the complaint.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.



5. The learned Additional Public Prosecutor appearing on behalf of the respondent police submits that injured has been discharged from the hospital. He further submitted that there is no previous case pending against the petitioner.

6. Considering the period of incarceration of the petitioner and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on the following conditions:

i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, for a like sum to the satisfaction of the Judicial Magistrate Lalkudi, Trichy District.

ii) 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.

iii) The petitioner shall appear before the respondent police once in a week i.e on every Monday at 10.30 a.m until further orders.

iv) The petitioner shall not tamper with evidence or witness.

v) the petitioner shall not abscond either during investigation or trial.

vi) 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]**.

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

sd/-
20/05/2021

/ 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.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE,
LALKUDI, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KALLAKUDI POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, THURAIYUR,
TIRUCHIRAPPALLI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6937 of 2021
Date :20/05/2021

rmi/pkn
JM/JC/SAR IV/21.05.2021/3P/6C