



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

Date : 14/06/2021

PRESENT

WEB COPY

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) No.7691 of 2021

Karthik @ Dharma

... Petitioner/Accused No.1

Vs

The State rep. by
The Inspector of Police,
Uchipuli Police Station,
Uchipuli, Ramanathapuram District.
Crime No. 203 of 2021.

... Respondent/Complainant

For Petitioner : Mr.P.M.Vishnuvarthanan, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabakar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.203 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 14.05.2021 for the offences punishable under Sections 294(b) and 307 of IPC in Crime No.203 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and his brother were involved in transporting articles through lorry and there was a dispute between the defacto complainant and the petitioner herein with regard to loading of articles. On 12.05.2021 when his brother was taking load of Chicken feed and was waiting near community centre the petitioner and other came there and attacked him with stones, due to which he sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 14.05.2021 and the injured has been discharged from the hospital, hence, he seeks bail to the petitioner.

<https://hcservices.courts.gov.in/hcservices/> 4.The learned Additional Public Prosecutor appearing for the



respondent police opposed this petition on the ground that the investigation is not yet completed and the petitioner is having two previous cases under Sections 323 and 324 of IPC. He would further submit that the injured has been discharged from the hospital.

5. Taking note of the fact and circumstances of the case and also the fact that the injured has been discharged from the hospital and the fact that the petitioner is in judicial custody from 14.05.2021, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) before the Jail Authority. The petitioner after his release shall surrender before the concerned Judicial Magistrate voluntarily on any working day within a period of one month from the date of resumption of regular work in the Subordinate Courts and execute 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 No.II, Ramanathapuram. On such execution of bond before the concerned Magistrate, the own bond executed before the Jail Authority shall stand cancelled automatically.

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 am., until further orders.

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/-
14/06/2021

/ 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.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.
2. -DO- THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL,
RAMANATHAPURAM.
4. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
UCHIPULI, RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7691 of 2021
Date :14/06/2021

AAV
SRS/JC/SAR-I/14.06.2021/3P/6C