



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

Date : 25/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8340 of 2021

Vigneswaran @ Vicky

... Petitioner/Accused No.10

Vs

The State rep.by
The Inspector of Police,
Anna Nagar Police Station,
Madurai District.
Crime No.1545 of 2020.

... Respondent/Complainant

For Petitioner : Mr.R.Mariappan,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1545 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A10, who was arrested on 21.08.2020 for the offences punishable under Sections 147,148,342,307 and 302 of IPC in Crime No.1545 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was previous enmity between the deceased Ananth and Vicky/auto driver. Due to that enmity on 19.08.2020 at about 3.00 pm.,when the defacto complainant and his father were standing near JPR Stores, Ananthu, Maruthu and Krishnakumar had come in two wheeler and gone towards bottle company. After some time the opponents of Ananth namely Gopal, Mariselval, Vicky, Moorthy and Bala and some other persons had come in an auto bearing Reg. No. TN 59 AR 4642. later the



defacto complainant was informed that the aforesaid persons had attacked Ananth with sword and knife and caused his death, therefore the case came to be registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that investigation in this case is completed and the final report has been taken cognizance in S.C.No.420 of 2020 on the file of the I Additional Sessions Judge, Madurai. He would further submit that the petitioner was earlier detained under Act.14 and the same was set aside by this Court, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed the bail petition on the ground that if the accused is released on bail, he will abscond and there will not be any progress in the trial.

5. Taking note of the fact and circumstances of the case and also the fact that the petitioner is in judicial custody from 21.08.2020 and the fact that the case is ripe for trial and the fact that some of the co-accused in this case were granted bail by this Court, 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 Judicial Magistrate No.VI, Madurai 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 trial Court on the first working day of every Month at 10.30 am., 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/-
25/06/2021

/ TRUE COPY /

WEB 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.VI,
MADURAI.
- 2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4.THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8340 of 2021
Date :25/06/2021

aav
AE/MNR/SAR-IV/25.06.2021/3P/6C