



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

Date : 07/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8939 of 2021

Salaudeen

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Thilai Nagar Police Station,
Trichy.
Crime No. 314 of 2021.

... Respondent/Complainant

For Petitioner : Mr.N.Anandakumar,
Advocate.

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

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

PRAYER :-

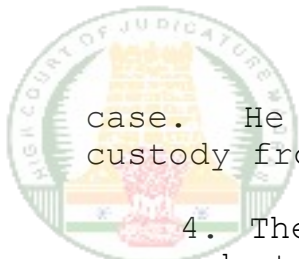
For Bail in Crime No.314 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 12.06.2021 for the offences punishable under Sections 307 of IPC in Crime No.314 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's son Mohamed Ibrahim and one Salavudeen were partners in the business. On 11.06.2021 at about 02.45 am., one Beermydeen informed the defacto complainant over phone that his son Mohamed Ibrahim was being taken to Thennor KMC and asked him to go there immediately. Visiting the hospital at 03.45 am., he found his son taking treatment. On enquiry his son informed that when he along with Salavudeen and friends namely Mohammed towfeeq Mohammed asif were talking together and due to monetary transactions, a wordy quarrel turned into violence and the accused person had stabbed him with knife, therefore this 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 the petitioner is in judicial custody from 12.06.2021, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed the bail petition on the ground that the investigation is not yet completed. However, he fairly concedes that the injured has been discharged from the hospital.

5. It is seen that in a monetary transaction between two friends the accused said to have caused stab injuries to the victim.

6. Taking note of the fact and circumstances of the case and also the fact that injured has been discharged from the hospital and the fact that the petitioner is in judicial custody from 12.06.2021, this Court is inclined to grant bail to the petitioner

7. 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.IV, Tiruchirapalli 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 respondent police daily 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/-
07/07/2021

/ 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 IV,
TIRUCHIRAPALLI.
- 2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPALLI DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPALLI.
- 4.THE INSPECTOR OF POLICE
THILAI NAGAR POLICE STATION, TRICHY.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8939 of 2021
Date :07/07/2021

AAV
AE/MNR/SAR-V/07.07.2021/3P/6C