



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

Date : 14/07/2021

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PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9315 of 2021

1.Arun Raja
2.Karthick

... Petitioners/Accused
No.2 and 3

Vs

The State rep.by
The Inspector of Police,
Checkanurani Police Station,
Madurai District.
Crime No.266 of 2021

... Respondent/Complainant

For Petitioners : Mr.C.Senthil Murugan,
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. 266/2021 on the file of Respondent Police

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who were arrested on 17.06.2021 for the offences punishable under Sections 294(b) and 307 of IPC, in Crime No.266 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity on 17.06.2021 at about 8.30 a.m., when the defacto complainant and her husband were preparing for starting their business, their son-in-law Manikandan came there and was talking with her husband. At that time one Vignesh and his associates came with pattakathi and soorikathi, scolded the defacto complainant's husband in filthy language and attacked him by asking why he was continuing his illicit relationship with Vignesh's mother and they started attacking him with pattakathi and soorikathi. Arun Raja and Karthick also attacked her husband, as a result he suffered injuries. Therefore, this case came to be registered.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 17.06.2021, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed this petition on the ground that investigation is pending. However he fairly concedes 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 petitioners are in judicial custody from 17.06.2021, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only)each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, 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 petitioners shall report before the respondent police daily at 10.30 am., until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves 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/-

14/07/2021

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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.

WEB COPY

TO

- 1.THE JUDICIAL MAGISTRATE No.II, MADURAI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
- 4.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9315 of 2021
Date :14/07/2021

AAV
TK/VR/SAR.5/14.07.2021/3P/6C