



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9648 of 2021

Rajapandian @ Pandian @ Kannan ... Petitioner/Accused No.2
Vs

The State rep by,
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
Crime No. 573 of 2021

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.Antony S.Prabhakar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.573 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 Additional Public Prosecutor appearing for the respondent.

2.The case of the prosecution is that on 07.07.2021, the petitioner went to the TASMAC shop at Avaiyandi Kulam, where the salesman of the TASMAC shop demanded Rs.40/- extra for Alcohol. Enraged by this, the petitioner attacked the salesman resulting in registering the case in Crime No.573 of 2021.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner damaged the TASMAC shop and the damage worth about Rs.3,360/-. He further submits that there was an injury on the salesman.

4.Taking note of the facts and circumstances of this case that the petitioner damaged the TASMAC shop, I am inclined to enlarge the petitioner on bail with certain conditions.



5. 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, Pattukottai and on further conditions 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 10.00 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] the petitioner is directed to deposit a sum of Rs.5,000/- before the Court of the learned Judicial Magistrate, Pattukottai, within a period of 15 days from the date of receipt of a copy of this order

[f] 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]**.

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

sd/-
22/07/2021

/ 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
PATTUKOTTAI.

2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR.

3. THE OFFICER INCHARGE,
DISTRICT JAIL,
PUDUKOTTAI.

4. THE INSPECTOR OF POLICE,
MADUKKUR POLICE STATION,
THANJAVUR DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9648 of 2021

Date : 22/07/2021

MM

RT/JC/SAR-I/22.07.2021/3P/6C