



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

Date : 03/08/2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD) . No.10521 of 2021

D.Aravinth

... Petitioner/Accused-A-2

**Vs**

The State rep.by  
The Inspector of Police,  
Thirukkattupalli Police Station,  
Thanjavur District.  
(Crime.No.518/2021).

... Respondent/Complainant

For Petitioner : Mr.A.SENTHILKUMAR, Advocate.

For Respondent : Mr.T.SENTHILKUMAR,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.518 of 2021 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A2, who was arrested on 21.07.2021 for the offences punishable under Sections 294(b), 324, 506(ii) and 307 of IPC in Crime No.518 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a dispute between the residents of two streets regarding the sharing of water from the Government water tap, in which, there was a quarrel between the defacto complainant and the petitioner and both of them got injured.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in the present case and he is in judicial custody from 21.07.2021. Hence, he seeks bail.



4. The learned Government Advocate(Crl.Side) would submit that it is a case of case and counter and tension is prevailing between the residents of two streets. He would further submit that the injured has been discharged from the hospital.

5. Taking into consideration of the facts and circumstances of the case that it is a case in counter and also taking into consideration of the fact that the injured has been discharged from the Hospital, 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, Thiruvaiyaaru, Thanjavur District 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 stay at Thanjavur and report before the Thanjavur South Police Station, daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[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.

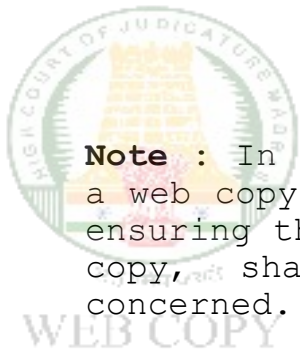
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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/-  
03/08/2021

/ 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  
THIRUVAIYAARU.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE,  
SUB JAIL, PAPANASAM.
4. THE INSPECTOR OF POLICE  
THIRUKKATTUPALLI POLICE STATION,  
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI DISTRICT.

**COPY TO:**

THE INSPECTOR OF POLICE  
THANJAVUR SOUTH POLICE STATION,  
THANJAVUR DISTRICT.

ORDER  
IN  
CRL OP(MD) No.10521 of 2021  
Date : 03/08/2021

SA/JM/SAR.4/03.08.2021/3P/7C