



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/08/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.10939 of 2021

Karthik Raja

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Melur Police Station (L and O),
Madurai District,
(Crime No.448 of 2021)

... Respondent/Complainant

For Petitioner : Mr.S.Vinodh,
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.448 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 12.07.2021 for the offences punishable under Sections 294(b), 341, 307 and 394 I.P.C, in Crime No.448 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that one Anandh has given a complaint before the respondent police that on 11.07.2021 at about 8.00 p.m, when he came to Madurai in his lorry, he parked the vehicle near PRP Factory, Therku Theru, Madurai, at that time, the petitioner and another accused have threatened him with knife, wrongfully restrained him and also abused him in filthy language. Later, they robbed Rs.200/- from the defacto complainant and stabbed his right side lap and right hand fingers. Hence, the complaint came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner was working as a delivery boy in Amazon Private Limited and a false case has been foisted against him. He would also submit that the petitioner is in jail for more than 30 days, hence he may



4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that on the same day, the petitioner has involved in two crimes where he has assaulted two persons and has also snatched money from them and later, it was recovered from him. He would further submit that apart from this case, the petitioner is having two previous cases.

5.Taking into consideration the facts and circumstances of the case, the nature of allegation levelled against the petitioner, the recovery in respect of other cases pending against him and the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and 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, Melur, Madurai District, 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 10.30 a.m until further orders.

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

[d] the petitioner shall not tamper with the 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/-
10/08/2021

/ 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.

WEB COPY

- TO
- 1 THE JUDICIAL MAGISTRATE,
MELUR, MADURAI.
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 4 THE INSPECTOR OF POLICE,
MELUR POLICE STATION (L AND O),
MADURAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.VINODH, Advocate. SR.No.5258.

ORDER
IN
CRL OP(MD) No.10939 of 2021
Date :10/08/2021

MSA
MK/PN/SAR.III/10.08.2021/3P/7C