



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/08/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.11711 of 2021

Guruzh Raja

... Petitioner/Accused No.1

Vs

State represented by
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
Crime No.395 of 2021.

... Respondent/Complainant

For Petitioner : M/S.T.Sathya Selvi,
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

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

PRAYER :-For Bail in Crime No.395 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 05.08.2021 for the offences under Sections 294(b), 307, 324 and 506(ii) I.P.C in Crime.No.395 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to misunderstanding between the boat workers, the petitioner scolded the defacto complainant in filthy language and brutally assaulted him with aruval and caused injuries.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in jail from 05.08.2021 hence, he may be granted bail.

4. The learned Government Advocate (Crl. Side) submits that the petitioner is not a habitual offender and he is discharged from the Hospital.



5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioner.

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 No.I, Nagercoil, 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 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 229-A IPC.

sd/-

18/08/2021

/ 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 NO.I,
NAGERCOIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE OFFICER INCHARGE,
SUB JAIL, KUZHITHURAI.

4 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANIYAKUMARI DISTRICT.

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

+1 CC to M/s.T.SATHYA SELVI, Advocate(SR-5480[I] dated 18/08/2021)

ORDER

IN

CRL OP(MD) No.11711 of 2021

Date :18/08/2021

MSA

MK/VR/SAR.II/18.08.2021/3P/7C