



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13220 of 2021

Jegadeesh

... Petitioner/Accused
(Rank not Known)

Vs

The State rep.by
The Inspector of Police,
Madukkur Police Station
Thanjavur District
(Crime No.579/2021).

... Respondent/Complainant

For Petitioner :Mr.E.BALASUBRAMANIAN,
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. 579 of 2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who was arrested on 05.08.2021, for the offence punishable under Sections 147, 148 I.P.C and Section 25(1-A) of Arms Act and Section 4(b) of Explosive Substances Act, 1908, in Crime No.579 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused have assembled with deadly weapons in order to commit revenge murder of one Kalyanaodai Senthil. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case as unnamed accused. He further submits that there is no overt act as against this petitioner and he is inside the prison from 05.08.2021. Hence, he seeks for grant of bail.



4.The learned Government Advocate(Crl.Side) appearing for the respondent opposed for grant of bail on the ground that the investigation is yet to be completed.

5.Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered. The petitioner is directed 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, Pattukkottai 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 Station 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 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/-

09/09/2021

/ 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
PATTUKKOTTAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKKOTTAI.
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.13220 of 2021

Date : 09/09/2021

SA/VR/SAR.4/09.09.2021/3P/6C