



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16.11.2021

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.16880 of 2021

1.Ramdeo Ram

2.Vijay Ram

... Petitioners/ Accused Rank Not Known

Vs

The State rep.by,  
The Inspector of Police,  
Manapparai,  
Trichy District.  
In Crime No.962 of 2021.

... Respondent/Complainant

For Petitioners: Mr.N.Ananda Kumar, Advocate.

For Respondent : Mr.RMS.Sethuraman,  
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.962 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested on 29.08.2021 for the offences punishable under Sections 143, 294(b), 323 of IPC @ 294(b), 323, 307, 506(ii) of IPC @ 294(b), 323, 307, 506(ii) and 302 of IPC in Crime No.962 of 2021 on the file of the respondent police, seek bail.

2. The first bail application in CrI.OP(MD)No.15846 of 2021 was dismissed on 12.10.2021, on the ground that investigation is in nascent stage.

3. The learned counsel for the petitioners would submit that the petitioners belong to the State of Bihar and they are in judicial custody from 29.08.2021. He would further submit that the petitioners are ready to furnish local sureties and prays for grant of bail to the petitioners.



4. Heard the learned Additional Public Prosecutor appearing for the respondent Police.

5. The petitioners do not belong to this State. They were arrested on 29.08.2021. Considering the period of incarceration and the fact that they are ready to furnish local sureties, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on them executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two local sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Manapparai 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 petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-  
16/11/2021

/ 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,  
MANAPPARAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE  
MANAPPARAI POLICE STATION, TRICHY DISTRICT.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.

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

+1 CC to Mr.N.ANANDAKUMAR, Advocate ( SR-8093[I] dated 16/11/2021 )

ORDER

IN

CRL OP(MD) No.16880 of 2021

Date :16/11/2021

mbi

MK/VR/SAR.I/16.11.2021/3P/7C