



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27/10/2021
PRESENT

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The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16475 of 2021

Rajendiran

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Vallam Police Station
Thanjavur District
Cr.No.761 of 2021.

... Respondent/Complainant

For Petitioner : Mr.V.KARUNA
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.761 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused who was arrested and remanded to judicial custody on 12.10.2021 for the offence under Sections 294 (b), 324 and 506(ii) I.P.C @ 294(b), 324, 506(ii) and 307 IPC, in crime No.761 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 12.10.2021, due to civil dispute, the petitioner herein caused hand injuries to the defacto complainant with aruval. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the injured was discharged from the hospital. The petitioner is in judicial custody from 12.10.2021. Hence, he prays for grant of bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and the injured was discharged from the hospital.



5. Considering the facts and circumstances of the case, the fact that the injured was discharged from the hospital and also the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

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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.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thanjavur 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 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 229-A IPC.

sd/-

27/10/2021

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/ /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.II
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE OFFICER INCHARGE
SUB-JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
VALLAM POLICE STATION
THANJAVUR DISTRICT

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

ORDER

IN

CRL OP(MD) No.16475 of 2021

Date :27/10/2021

SA/JM/SAR.2/27.10.2021/3P/6C