



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.11.2021

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.18480 of 2021

Vinod @ Parupu Vinod

... Petitioner/Accused No.7

Vs

State Rep.by
The Inspector of Police,
Theppakulam Police Station,
Madurai City.
(Crime No.1037 of 2020)

... Respondent/Complainant

For Petitioner : Mr.K.Sathish 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.1037 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 22.07.2020 for the offence punishable under Sections 147, 148, 294(b), 302 and 506(ii) of IPC in Crime No.1037 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous motive, the petitioner and other accused attacked the deceased with sword and caused death. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is in judicial custody for more than 16 months and prayed for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that already charge sheet has been filed in SC.No.383 of 2020 before the I Additional District Court, Madurai.



5. This is the third bail application. Since, charge sheet has already been filed before the concerned Court, this Court is of the view that judicial custody of the accused is not required. Hence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, 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 I Additional District Judge, Madurai 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 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/-

25/11/2021

/ 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 I ADDITIONAL DISTRICT JUDGE,
MADURAI.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION,
MADURAI CITY.

3 THE SUPERINTENDENT, CENTRAL PRISON,
COIMBATORE.

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-8526[I] dated 25/11/2021)

ORDER

IN

CRL OP(MD) No.18480 of 2021

Date :25/11/2021

MBI

MS/VR/SAR-4/25.11.2021/3P.6C