



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 03.12.2021  
PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD). No.19156 of 2021

Yuvamanikandan

... Petitioner/Accused No.6

**Vs**

The State rep.by  
The Inspector of Police,  
Nainarkovil Police Station,  
Ramanathapuram District.  
Crime No.284 of 2021

... Respondent/Complainant

For Petitioner : M/s.R.ANAND  
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM,  
Additional Public Prosecutor

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

**PRAYER :-** For Bail in Crime No.284 of 2021 on the file of the respondent Police.

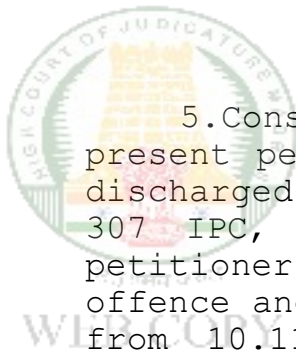
**ORDER :** The Court made the following order :-

The petitioner/6<sup>th</sup> accused, who was arrested and remanded to judicial custody on 10.11.2021 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 332 and 307 IPC in Crime No.284 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 04.11.2021, the respondent police, on secret information, went to the occurrence place and found that the petitioner and other accused persons unlawfully assembled in drunken mood near the Devar Statue before the Tamaraikulam Hotel. When the same was questioned by the respondent police, all the accused persons assaulted the police officials and attempted to commit murder and also prevented them from discharging their duties. Hence, the complaint.

3.This is the second bail application and the earlier application filed by the petitioner was dismissed by this Court on 19.11.2021 in CrI.O.P.(MD)No.18139 of 2021.

4.Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the injured was discharged from the hospital. He would further submit that no previous case is pending against the petitioner herein.



5.Considering the nature of the charges alleged against the present petitioner and also the facts that the injured was already discharged from the hospital, that except the offence under Section 307 IPC, all other offences are bailable in nature, that the petitioner is not having any previous case for similar or serious offence and also the fact that the petitioner is in judicial custody from 10.11.2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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 learned Judicial Magistrate, Paramakudi, Ramanathapuram District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of thirty days and thereafter, as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

03/12/2021

/ 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  
PARAMAKUDI, RAMANATHAPURAM DISTRICT.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE  
SUB JAIL, MUDUKULATHUR,  
RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE,  
NAINARKOVIL POLICE STATION,  
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.B.RAMAMOORTHY, Advocate SR.No.8839

+1. CC to M/S.ANAND.R, Advocate SR.No.8842

**ORDER  
IN**

CRL OP(MD) No.19156 of 2021  
Date :03/12/2021

SA/VR/SAR.3/03.12.2021/3P/8C