



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/12/2021

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18925 of 2021

WEB COPY

1. VEERARAGAVAN

2. VIJAY @ VIJAYRAJ

... PETITIONERS/ACCUSED-A3, A4

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
PATTUKOTTAI,
(CRIME NO. 611 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioners: M/s.Thenrajan.K.,
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. 611 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A3 and A4 herein, who were arrested on 29.10.2021 for the alleged offence under Sections 147, 148, 448, 294(b), 427, 324, 365, 307 of IPC, in Crime No.611 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant and the first accused are the husband and wife and the petitioners herein, are the friends of the first accused. On 29.10.2021, the petitioners along with other accused, kidnapped the defacto complainant's daughter and the first accused attacked her with aruval and the other accused attacked her with wooden log and caused injury. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 29.10.2021 and the injured was discharged from the hospital. Hence, he seeks to grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the the injured has been treated as inpatient and discharged on 02.11.2021, and investigation is not yet completed.

5.Considering the nature of the offence and also considering the fact that the injured was discharged from the hospital and that the petitioners are in judicial custody from 29.10.2021, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai, and on further conditions that;

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 petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of 30 days and thereafter, as and when required for interrogation.

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

iv)the petitioners 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/-
06/12/2021

/ 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,
PATTUKOTTAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER-INCHARGE,
SUB-JAIL, KUMBAKONAM.
4. THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
PATTUKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18925 of 2021
Date :06/12/2021

dss
USK/PN/SAR-II/ (07.12.2021) 3P-6C